



Illinois
Environmental
Protection Agency

Environmental Policy
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October 1997

IEPA/ENV/97-021

FY 98 Performance Partnership Agreement



October 1997

**FY 98 PERFORMANCE
PARTNERSHIP AGREEMENT
BETWEEN
ILLINOIS EPA AND Region 5, USEPA**

We are pleased to execute our third Performance Partnership Agreement and thereby to continue the journey envisioned in the new National Environmental Performance Partnership System (see Figure 1). This agreement sets forth our mutual agenda for continued environmental progress and our expectations for the state/federal relationship. We have assembled in one comprehensive document the issues, goals, strategies and measures for most of the environmental programs that are operated in Illinois. Illinois will also operate under a performance partnership grant that provides funding for the programs described in this agreement.

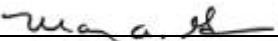
The execution of this agreement demonstrates our continuing commitment to environmental improvement that is cost-effective and responsive to public concerns. We believe that this agreement measures up to the call for finding better ways of doing our regulatory business. It also builds upon the lessons learned from previous partnership agreements. In particular, we are continuing the task of sorting out where streamlining of performance reporting can be accomplished. We have also revised the performance measures to fit the hierarchy ("SMART" Chart) agreed to by ECOS and EPA.

The seven sections which follow form the body of this agreement and will serve as our joint performance plan for the specified programs.

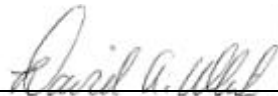
Entered into on this 24th day of October, 1997.

For the Illinois EPA:

For Region 5, USEPA:



Mary A. Gade
Director



David A. Ullrich
Acting Regional Administrator

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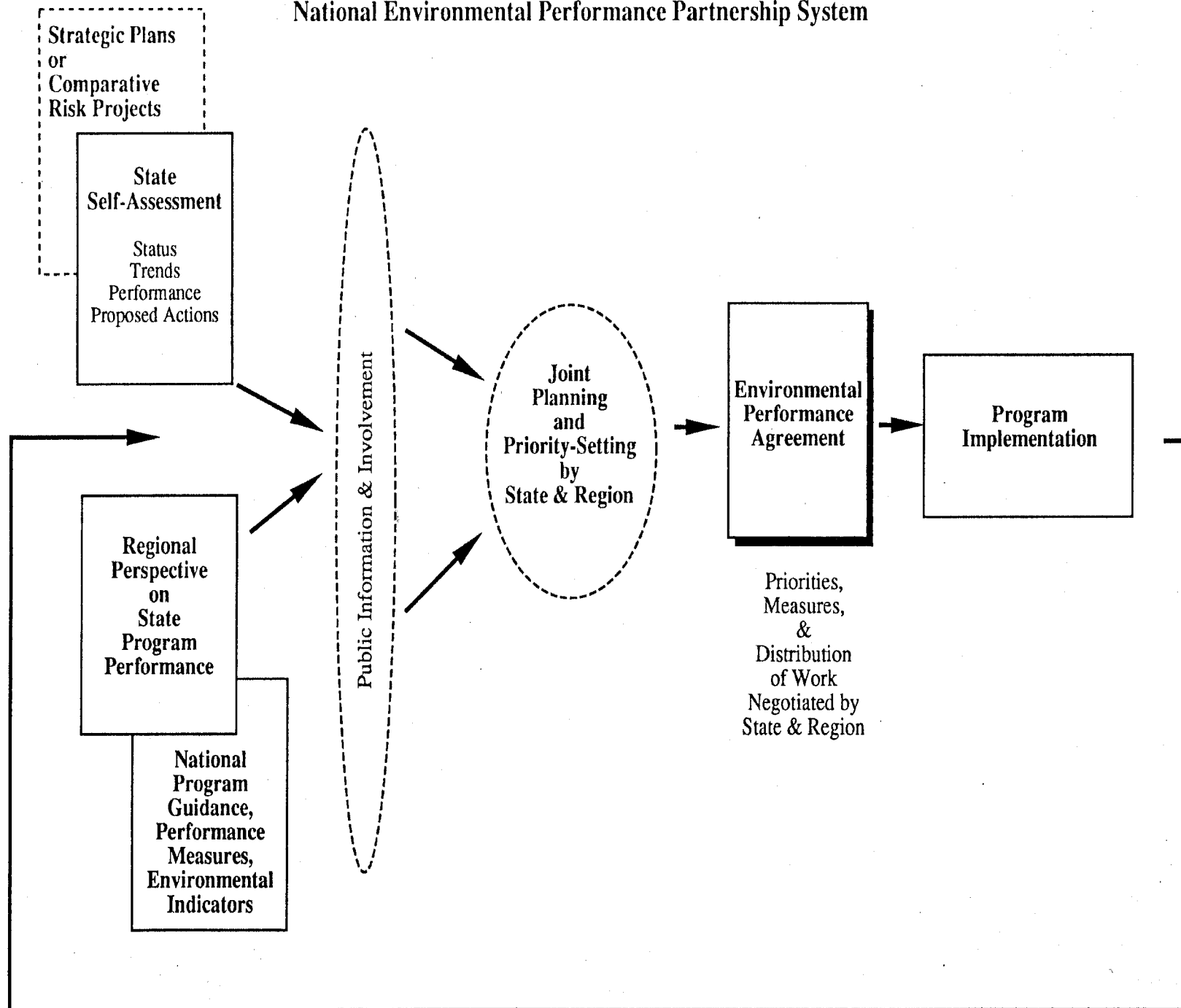
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Figure 1

National Environmental Performance Partnership System



I. GENERAL PURPOSE AND CONTEXT

The purpose of this FY 98 Environmental Performance Agreement ("the agreement") is to set forth the mutual understandings reached regarding the state/federal relationship, the desirable environmental outcomes, the performance expectations for the participating programs, and the oversight arrangements between the parties. The parties to this agreement are the Illinois Environmental Protection Agency (IEPA) and Region 5 of the United States Environmental Protection Agency (USEPA).

A. New Environmental Partnership

This agreement is designed to be consistent with the "new environmental partnership" as described in the National Environmental Performance Partnership System (NEPPS). The parties concur with the principles that are enumerated in the NEPPS and are proceeding in accordance with the framework shown therein.

B. Strategic Planning Context

The six state environmental agencies and Region 5 decided in May, 1992 to collaborate in a strategic planning process. A strategic directions team, which consisted of senior state and federal staff, participated in extensive dialogue for more than a year. The product of these mutual efforts was a multi-year strategy called "Strategic Directions For the Midwest Environment (1995-1999)." This strategy identified ten broad themes and 57 specific strategic directions that were needed to ensure continued environmental progress. It also described a fundamental shift in management philosophy that was taking place:

- "Cooperation and collaboration should be our foundation. The allocation of resources and the accountability between us should be directly linked to attaining environmental results."

In effect, then, this strategy became an environmental management agenda from which regional and state programs would make selections to fashion their respective work plans. It was anticipated that a flexible approach would be necessary to accommodate the full range of state and regional interests and priorities. To deal with these specific applications, a commitment was made to continue the dialogue among Region 5 and the states.

At the annual planning session held on February 13, 1997, the senior leadership of Region 5 and the States also identified potential joint priorities to consider for agreements in fiscal year (FY) 1998. Illinois EPA and Region 5 have considered these and other priorities as well. The agreed upon joint priorities are presented in Section V.

C. Mission Statements and Roles

1. **Illinois EPA** - The mission of the IEPA is to "safeguard environmental quality consistent with the social and economic needs of the State, so as to protect health, welfare, property and the quality of life." IEPA operates under the auspices of the Illinois Environmental Protection Act and several other state statutes. Under state law, the IEPA is designated as the primary operations agency for purposes of the major

federal environmental protection programs. Statutory authority is granted for policy and regulatory development, planning and monitoring, permitting, inspections and enforcement, remedial actions, emergency management, and environmental infrastructure assistance.

IEPA has sought and received delegation of the major national environmental protection programs. IEPA also operates numerous state programs that do not involve a relationship with USEPA. In combination, these national and state-specific program responsibilities place IEPA in the lead role for delivering day-to-day environmental protection in Illinois. This agreement is designed to address the full range of these operations with only a few exceptions, such as the leaking underground storage tank program.

Illinois EPA recognizes that it has a continuing responsibility to advise Region 5, USEPA regarding statutory or regulatory changes that could have a material effect on an authorized or delegated national environmental program. Region 5, USEPA, in turn, has a responsibility to promptly inform IEPA if it believes such change is inconsistent with applicable federal statutes or regulations governing the affected environmental program. Region 5, USEPA may also identify federal guidance or policies that should be considered in evaluating such change.

Under federal programs that are delegated to the State, IEPA will continue to assume the lead in enforcement and compliance in Illinois, supported and assisted by USEPA. IEPA recognizes that there are also circumstances where USEPA may take the lead in enforcement and compliance as set forth in the Enforcement and Compliance Assurance subsection under Federal Roles. Both agencies recognize the need for timely and open communications to identify and coordinate responsibilities, work activities and opportunities for joint actions in the compliance and enforcement area. IEPA and USEPA are committed to improving work coordination and communications to ensure effective and efficient use of resources. Program offices will continue to coordinate activities with USEPA to ensure the appropriate instances of noncompliance are referred for enforcement actions. IEPA will also identify and evaluate existing enforcement response plans, updating them as necessary to ensure timely and appropriate enforcement can be conducted.

IEPA operates within a complex network of intergovernmental and public/private relationships. The principal roles that IEPA plays within this web of relationships are as follows:

- a. Primary regulator - IEPA has direct regulatory responsibility for the full spectrum of environmental protection matters. This predominant role drives much of our focus and performance. Under the NEPPS, IEPA will strive to improve the environmental protection system in Illinois so that affordable environmental progress can continue to be realized.
 - b. Secondary regulator - IEPA has authority to delegate certain regulatory activities to local governments and has done so under several programs. Certain efficiencies are gained when some regulatory actions take place at the local level. For the most part, these arrangements have worked well and have resulted in a net improvement in program operations. Where feasible, the IEPA will continue to seek out these opportunities and assume a secondary role as needed to ensure the integrity of program performance.
 - c. Environmental information generator - IEPA creates a large amount of information about environmental quality in Illinois and about things that affect Illinois' environment. Under the NEPPS, we want to do a better job of sharing this information with the public and regulated community. The use of environmental goals and indicators should help us move in this direction.
 - d. Policy and technical advisor - The IEPA is frequently called upon to give environmental policy and technical advice to a wide variety of interests. This environmental expertise represents a major asset that can be utilized to support our environmental aims.
 - e. Financial provider - The IEPA provides financial assistance to eligible parties in a number of ways via grants, loans and cost-sharing for projects. These valuable resources need to be used wisely so that intended environmental benefits are realized.
 - f. Project sponsor - IEPA assumes direct sponsorship for a wide variety of environmental improvement projects such as hazardous site remediation, tire dump cleanups, vehicle scrapping, collection of household hazardous wastes and safe disposal of abandoned hazardous materials. These environmental services help prevent or correct a wide range of adverse environmental conditions. IEPA is committed to delivering these services in a productive manner.
 - g. Change agent and promoter - The IEPA has opportunities to display environmental leadership and pursue system changes where it makes sense to do so. We want to encourage innovation and to take full advantage of these important opportunities. In exercising such leadership, we become advocates and promoters of new ways of thinking and new approaches for addressing environmental problems. Fostering this outlook within the IEPA is critical if we are to cope with the rapidly changing world scene.
2. **Region 5, USEPA** - The federal government has a fundamental responsibility to protect the integrity of the nation's environment and health of its diverse citizenry. Both USEPA and individual states conduct environmental protection activities, with USEPA directly implementing some Federal programs, taking enforcement actions against violators, delegating Federal programs for State operation, and reviewing and evaluating State program performance. Because pollution does not respect political boundaries,

USEPA has a fiscal and statutory responsibility to ensure that a consistent, level playing field exists across the nation. USEPA performs this vital function by providing leadership when addressing environmental problems that cross state, regional and national borders and ensuring a consistent level of environmental protection for all citizens. The Agency fulfills these responsibilities by working with its many partners--other federal agencies, states, tribes and local communities--to address high priority environmental problems. By offering training and technical assistance, sharing work and conducting scientific and policy research, USEPA helps build the capacity of States and other partners to ensure protection of public health and the environment. USEPA also carries out an important role in reviewing State program performance, incorporating a wide variety of activities, from annual meetings with State program managers to file reviews. Region 5 will continue to provide the State with funding for base programs and specific projects which will achieve environmental results consistent with USEPA and IEPA priorities set forth in this agreement and will evaluate State programs to ensure the fiscal integrity of the USEPA/State relationship. Region 5 will continue to build State capacity for undelegated programs with a goal of moving those programs to the States in the near future.

Federal Role in Enforcement and Compliance Assistance - Compliance and enforcement activities to be accomplished during the term of this Agreement are included in the media programs. However, USEPA and IEPA believe it is helpful to highlight the federal role in compliance and enforcement in this Agreement.

There is a continuing role for USEPA in environmental protection in Illinois. USEPA can assist IEPA in conducting inspections, conducting joint enforcement actions, and in providing compliance and technical assistance to the State and its regulated entities. USEPA carries out its responsibilities in the enforcement arena in a variety of ways. The Agency acts as an environmental steward, ensuring that national standards for the protection of human health and environment are implemented, monitored and enforced consistently in all States. Under this PPA, USEPA and IEPA retain their authorities and responsibilities to conduct enforcement and compliance assistance, and such enforcement will be accomplished in the spirit of cooperation and trust. Additionally, both Agencies agree to explore the most effective application of the full spectrum of compliance tools, including compliance assistance and enforcement, to encourage and maintain compliance of sources.

Specific federal enforcement and compliance assistance responsibilities may include:

- Work on National Priorities (e.g., multi-media inspections, companies with significant company-wide non-compliance in several states, and OECA Priority Sectors).
- Work on Regional Priorities, including enforcement and compliance assistance in Region 5's Principle Places, as well as using this approach to reduce toxics, especially mercury; to slow urban sprawl, especially by promoting brownfields redevelopment; to clean up sediments; to protect and restore critical ecosystems; and to protect people

- at risk, especially children and environmental justice communities.
- Ensuring timely and appropriate enforcement, if necessary, in State and Federal Programs.
- Ensuring a level playing field and National consistency across State boundaries.
- Addressing interstate and international pollution (watersheds, air sheds, or other geographic units).
- Addressing criminal violations under Federal law.
- Multi-media inspections and enforcement at Federal facilities.
- Enforcement in non-delegated, partially delegated or non-delegable programs.
- Enforcement to assure compliance with Federal consent decrees, consent agreements, Federal interagency agreements, judgments and orders.

Both IEPA and USEPA agree in FY 1998 to ensure that there is a productive use of limited federal and state resources to secure compliance. In order to foster improved communications and coordinate in the enforcement area, the following approach will be utilized:

Planning and Information sharing

- IEPA and USEPA will hold an annual planning meeting to discuss enforcement and compliance matters.
- USEPA and IEPA will share information regularly about pending and potential enforcement cases in order to avoid surprises, ensure consistency, eliminate duplication and ensure timely coordination of activities. For those enforcement programs where the authorizing statute does not provide for delegation to the states (e.g., non-delegable programs such as TSCA), USEPA will share enforcement information with IEPA to the extent allowed under existing Office of Enforcement and Compliance Assistance policies and procedures. USEPA will also provide IEPA with a copy of each non-delegable program enforcement action issued within the State.

Coordination of Activities

- Each Agency will identify cases in which inconsistency with national enforcement response policies or state environmental compliance strategies or duplication of resources are potential problems, or in which coordination between USEPA and IEPA is essential.
- These cases will be discussed at meetings or conference calls, held at least quarterly. Each Agency will designate appropriate contacts to attend meetings and discuss identified cases.
- For each facility identified, USEPA and IEPA will discuss and attempt to agree on the appropriate response for the violation and the appropriate Agency to take the lead role. For some cases, joint actions may be preferable.

USEPA will take enforcement actions in Illinois as necessary and appropriate to ensure implementation of federal programs and as a deterrent to non-compliance, in accordance with the communication and coordination activities outlined above. There may be emergency situations or criminal matters that require USEPA to take immediate action (e.g., seeking a temporary restraining order); in those circumstances, USEPA will consult with the State as quickly as possible following initiation of the action.

For both USEPA and IEPA, enforcement and compliance assistance is conducted through individual media programs. However, both Agencies conduct multi-media enforcement and compliance activities which will require coordination. While individual program activities will be coordinated on a program specific basis, multi-media activities will be coordinated, when appropriate, through Region 5's Office of Enforcement and Compliance Assurance (OECA) and the Compliance Management Panel. Specific multi-media activities that IEPA and USEPA will work together on in FY 1998 include: 1) On-site compliance assessments of dry cleaners in the Chicago area to evaluate effectiveness of past State outreach activities; 2) Completion of the compliance sweep of the electric arc furnace facilities in the State of Illinois; and 3) Coordination on multi-media inspections.

The effectiveness of IEPA and USEPA's enforcement and compliance assistance efforts will be measured and reported through the individual media programs. USEPA and IEPA will work together during FY 1998 to develop meaningful measures for enforcement and compliance assistance activities.

Region 5 Priorities for Federal FY 1998 - One of the roles of USEPA, Region 5, as a partner to this agreement is to ensure that specified strategic objectives are addressed by the Agency. Region 5 has declared its strategic environmental priorities to address for federal FY 1998 in the Region's *Agenda for Action*. A Regional priority is one that addresses a multi-media environmental problem, needs non-traditional methods to solve the problem, needs federal leadership, is broad in scope, impacts a significant population or resource, and/or is an Administration priority. Some Regional priorities have been identified as joint priorities for both Region 5 and the State of Illinois. These will be identified here and described in detail in the next section. The remainder will be pursued and tracked by the Region. For those priorities not identified as joint, however, the Agencies will continue to work together to coordinate actions, reduce duplication and manage overlap and complimentary activities. It is important to note that Illinois has determined that each of the Region's five environmental priorities for FY 1998 should be considered joint; therefore, description of Region and State activities for these programs will be found in the next section.

Federal FY 1998 Region 5 Priority Environmental Problems are:

- reducing toxics, especially mercury - this is a joint priority
- promoting sustainable urban development and reuse of Brownfields - this is a joint priority
- cleaning up sediments - this is a joint priority

- protecting and restoring critical ecosystems - this is a joint priority
- protecting people at risk, especially children and environmental justice communities - this is a joint priority

To direct limited resources to places where these priorities can be most effectively addressed, the Region has identified **principal places** where the complex environmental problems would most benefit from a multi-media focus. Of the Region's nine principal places, those which impact Illinois are:

- Lake Michigan
- Greater Chicago
- Gateway (East St. Louis, IL)

To implement its activities in these priority places, Region 5 has created multi-media Regional Teams whose role is to evaluate, plan and implement activities to address the site-specific community issues and environmental problems in communication and cooperation with all impacted stakeholders, including Illinois EPA. The Team Managers have developed action plans for FY 1998 containing detailed information on proposed activities. Any State activities supporting the Team goals are described here, under the appropriate State program area or in the Joint Environmental Priorities section as appropriate. Summaries of the Regional Team plans are provided as follows:

- Lake Michigan - Both the USEPA Great Lakes National Program Office (GLNPO) and the Region 5 Lake Michigan Team contribute to activities which promote the clean-up, restoration and protection of Lake Michigan, with GLNPO focusing at a Great Lakes Basin-wide level. USEPA's Great Lakes Program brings together federal, state, tribal, local, and industry partners in an integrated, ecosystem approach to protect, maintain, and restore the chemical, biological, and physical integrity of the Great Lakes. The Boundary Waters Treaty of 1909 and the 1987 Great Lakes Water Quality Agreement (GLWQA) with Canada provide the basis for our international efforts to manage this shared resource. Additional responsibilities are defined in Section 118 of the Clean Water Act, Section 112 of the Clean Air Act Amendments, and the Great Lakes Critical Programs Act of 1990. The Great Lakes 5-Year Strategy, developed jointly by USEPA and its multi-state, multi-Agency partners and built on the foundation of the GLWQA, provides the agenda for Great Lakes ecosystem management: reducing toxic substances; protecting and restoring important habitats; and protecting human/ecosystem species health. These objectives closely align with Region 5 and IEPA's joint environmental priorities and certain GLNPO activities may be described in those sections as appropriate.

Highlights of Federal activities not covered elsewhere include:

Monitor Lake ecosystem indicators. GLNPO will interpret and report information about Lake Michigan air, water, sediments, and biota through the Lake Michigan Mass Balance Study (LMMB), thus enabling the Agency and its partners to target further pollutant reductions. The joint GLNPO/Canadian atmospheric deposition

network (including air monitoring stations on each Great Lake) will provide trend and baseline data to support and target remedial efforts and measure environmental progress under Remedial Action Plans (RAPs) and Lakewide Management Plans (LaMPs). GLNPO, with its Canadian counterparts, will lead efforts to establish appropriate Basin-wide environmental indicators in anticipation of the 1999 biennial State of the Lakes Ecosystem Conference which will bring together representatives of the public and private sectors to facilitate risk- and science-based decision-making. **Manage and provide public access to Great Lakes data.** EPA's integrated Great Lakes information system, developed by GLNPO and its state and Federal partners, will deliver LMMB, and other, scientifically sound, easily accessible environmental information to decision makers and the public by traditional means and via the Internet. GLNPO will pilot techniques to provide public access to LMMB data via the Internet.

Provide and promote community-based environmental protection, especially in AOC's. USEPA will work side-by-side with, and provide funding for, local communities to address the environmental problems they determine to be of the highest priority.

IEPA will continue to give priority to restoration and long term protection of Lake Michigan. We will support and participate in activities of Region 5's Lake Michigan Team including development of the Lake Michigan lakewide management plan (LaMP), the Chicago area PCB/Mercury pollution prevention initiative, the Lake Calumet area wetlands, and the environmental indicators workgroup. The Agency is also actively pursuing numerous other Great Lakes activities including completion of Waukegan Harbor remediation and ultimately its delisting as an Area of Concern (AOC), participation in multi-state activities (IJC, Council of Great Lakes Governors initiatives, the Corps of Engineers Great Lakes Dredging Team, the Great Waters provisions of the Clean Air Act) and individual projects such as the Chicago area mercury pollution prevention pilot project for hospitals and dental offices. Of particular interest from the broader Great Lakes wide perspective, the Agency will participate in GLNPO's implementation plan for the Binational Toxics Strategy. Some of IEPA's P2 programs help support this effort. Of course final adoption and implementation of the Great Lakes Water Quality Guidance is another major area of program commitment during FY 98.

- Greater Chicago Initiative - The Greater Chicago Initiative (GCI) focuses on Cook County, Illinois, particularly on the environmental justice areas of the Southeast and West Sides of the City of Chicago. The purpose of the Initiative is to work with local stakeholders, including Region 5, the State of Illinois, Cook County, the City of Chicago, the Metropolitan Water Reclamation District of Greater Chicago, industry, and citizens to coordinate various government and private environmental activities for the purposes of effectiveness and efficiency. A further, and very important, function of the Initiative is to address environmental problems that fall outside the purview of the regulatory agencies' base programs. These are often areas of environmental concern that will require innovative approaches to long standing environmental

problems that have been very difficult to solve. In other words, it is the intent of the Initiative to supplement the ongoing program work that each government agency performs in the course of its day-to-day activities.

The focus areas of the Initiative suffer from a range of problems associated with aging industry, decay of infrastructure, job flight, and general urban malaise. Yet positive qualities, some unique, have also been attributed to the area: cultural and ethnic diversity, available labor and land, a viable central downtown and important natural sites. Accordingly, priorities for Initiative work in Fiscal Year 1997 are as follows:

- illegal dumping
- odors
- enforcement
- large-scale soil contamination
- asthma
- coordination of habitat protection/restoration
- pollution prevention
- environmental job training and placement

In Fiscal Year 1998, the GCI will reexamine the needs for these priorities and make revisions, as necessary.

Region 5 will continue to take the lead role in developing and implementing goals and objectives for the GCI. Region 5 envisions its leadership role as facilitating partnerships between the various stakeholders within the Greater Chicago geographic area, as well as providing limited administrative resources. In FY 1998, a facilitator funded by a Region 5 grant, the Egan Center, will work with GCI Steering Committee members to identify priorities and concerns that the members would like to see resolved through the GCI. The Region invites other stakeholders to continue to identify issues of concern and encourages these stakeholders to take the lead on specific projects, through the establishment of workgroups for the identified priorities and any other areas of concern that may be identified during the year. We will look to the Greater Chicago Pollution Prevention Partnership and Chicago Wilderness as models of how to work with our partners on specific activities. IEPA will participate and work with the facilitator and steering committee members to develop a plan/strategy that everyone can support.

- Gateway (St. Louis/East St. Louis) - A very successful and fruitful partnership has developed over the last few years between the Region 5 Gateway Team and the staff of the Illinois EPA, particularly the Collinsville office, as we work together to achieve the goals in the Metro East area of improving the quality of life and protecting the natural resources within that community, as well as improving the community economics. Region 5 and IEPA will work together on a Gateway Lead Workgroup that will collect and analyze existing data on lead and identify exposure pathways, hot spots and other data needs. IEPA will continue to work with USEPA to identify candidates for inspections/enforcement and provide technical assistance to facilities and communities. IEPA's Air Program and Public Affairs Office will support

USEPA's effort for a community forum on air issues and will participate in identifying the extent of contaminated sediments, as well as participate in discussions to alleviate flooding with restoration and enhancement of wetlands. Both agencies will continue to focus brownfields activities on the metro East St. Louis area and work toward development of community based indicators of environmental health. IEPA and USEPA will continue to work on tire collection and sweeps and explore areas that would enhance coordination on groundwater issues.

IEPA will work with USEPA to provide for special data runs to report Gateway-specific numbers from some of the indicators and performance measures areas already identified within the PPA for the following areas: toxic chemical releases, pollution prevention, ozone nonattainment, hazardous air pollutants, acid rain, shallow groundwater, waste disposal at permitted facilities, open dumping, contaminated lands, waterway conditions, waste- water discharges, finished drinking water and groundwater recharge areas.

Finally, the Region has identified the following **critical approaches** to be implemented in addressing our strategic problems. These critical approaches represent the most important tools that Region 5 will be using to address its environmental priorities and to find solutions to environmental problems in its principal places. These critical approaches are:

- Enforcement and Compliance Assurance (Federal approach described above)
- Community-Based Environmental Protection (CBEP) - The CBEP approach is one of the techniques that helps USEPA maximize environmental results by collaborating with other agencies, State and local governments, tribes, businesses, organizations and individuals to solve environmental problems. This problem solving approach provides a setting in which USEPA works with communities which are affected, involved, or interested in identifying environmental problems, ranking these problems, developing solutions, and initiating work towards eliminating the problems.
- Pollution Prevention - USEPA holds that by relying on pollution prevention techniques and strategies in the way we produce, consume, reuse and recycle materials, we can ensure that all Americans will live in contaminant-free, sustainable communities. For the most effective use of agency resources, however, pollution prevention must be integrated throughout environmental programs. To advance the widespread implementation of pollution prevention practices within public and private sectors, Region 5 seeks to instill and help foster a holistic and dynamic pollution prevention ethic among Regional employees, external stakeholders and the general public. Integration of P2 will be supported in the following activities: compliance/enforcement through the use of Supplemental Environmental projects; providing P2 information during inspections; inclusion of P2 language in permits; review of regulations to ensure they do not act as an impediment to P2; P2 clearinghouse support; P2 training and data integration; support of voluntary programs that implement source reduction such as Green Lights and WasteWi\$e; and support of voluntary sector

- initiatives and other geographic toxic reductions efforts.
- Partnerships with States, Local Governments, Other Federal Agencies and other Nations - Region 5's goals is to establish effective partnerships with all stakeholders, allowing all partners to capitalize on effecting environmental results. These partnerships include the formal agreements of Environmental performance partnership Agreements with States, Tribal Environmental Agreements, and grants to communities, to informal collaborations with individual communities and organizations.
 - Customer Focus - Based on Executive Order 12862, signed by President Clinton in September 1993, every Federal Agency had to develop and publish customer service plans. In its Plan, USEPA reaffirmed its commitment "to providing the best customer service possible... (and) to achieve this through increased public participation, increased public access to information, and more effectively responding to customer needs." Region 5 established a Customer service Task Force to focus on efforts to improve customer service at a Regional level and is committed to ensuring all aspects of customer service are of the highest quality possible.
 - Trust Responsibility for Tribes - Region 5 has a duty to uphold its trust responsibilities to the 33 Indian tribes in the Region. The tribes may not have the necessary resources or administrative infrastructure to adequately address environmental problems that effect their communities. Region 5's goals are effective stewardship and implementation of tribal trust responsibilities.
 - Risk and Science-Based Decision-Making - Region 5 will ensure that our environmental management decisions are clear, consistent and reasonable. In addition, we will ensure that they protect human health and the environment through the generation and consideration of technically excellent, publicly accessible, risk and scientific information in our decision-making process.
 - Measuring and Managing for Environmental Results - Region 5 is committed to relying heavily on environmental data to evaluate conditions, identify existing and emerging problems, set priorities, and make decisions to address the top hazards facing public health and the environment. Examples of this effort include:

Quality Assurance and Quality Management Plans - Region 5 has made a commitment to ensuring the quality of environmental data collected under all grants will be known and appropriate for the intended use through the IEPA's development and implementation of an ongoing quality assurance management program (otherwise known as Quality System (QS)). IEPA will document this Quality system in a Quality Management Plan (QMP) in accordance with EPA QA/R-2, EPA Requirements for Quality Management Plan, August 1994. At IEPA's discretion, IEPA may submit (1) a single Quality Management Plan (QMP) covering all programs under the grants; (2) a separate QMP for each program receiving grant funds; or (3) a certification that existing approved Quality Assurance Project Plans (QAPP) are still valid or that revisions to the currently approved will be submitted during the grant year. Region 5 QA Core and Program

QA managers/QA Coordinators will work with IEPA to address these requirements and to move IEPA toward adoption of comprehensive QMPs. Upon approval of IEPA's QMP, EPA Region 5 shall delegate the authority to review and approve Quality Assurance Project Plans (QAPPs) to IEPA, and EPA shall designate IEPA as the authorizing organization. USEPA will oversee IEPA's QS by conducting management Systems Reviews (MSR) of IEPA's QA documentation, including QAPPs and QMPs. Until such time as IEPA has an approved-QMP, EPA Region 5 will retain sole authority to approve individual QAPPs as the authorizing organization.

Building Partnerships for Information Sharing - To facilitate information sharing, Region 5 will work with IEPA to address the following as appropriate. Where applicable, Region 5 will ensure IEPA receives all information related to grant applications pertaining to these initiatives and will work with the State to move projects forward.

1. Collect, quality assure, and store key data (e.g. geographic location, chemical, and facility ID) from facility, discharge and monitoring points (Locational data Improvement Project);
 2. Assess and implement consistent national data standards for facility and chemical identification coding to provide effective integrated capability need for multi-media decision making processes (Facility Identification Initiative);
 3. Assess collective data needs to support decision making and acquire the documented data as necessary, including environmental data not collected by either IEPA or Region 5, but by other federal, state and local agencies. Specific examples are Geographic Information System spatial data and compatible land-based attribute data (e.g. multi-resolution landscape characterization image representation, wetlands inventory, critical habitat/endangered species);
 4. Develop and implement improved processes to share data, information, and analysis, such as geographic risk, sampling design, and other statistical and physical modeling tools;
 5. Improve electronic communications and linkages (Envirofacts Warehouse, Environmental Monitoring for Public Access and Training - EMPACT);
 6. Review and develop improved joint processes (One-Stop Reporting Grants, State/USEPA Data Workshops and Regional meetings).
- Regulatory Innovation - This is a joint priority.
 - Human Resource Investment for Change - Region 5 is committed to providing an environment that fosters recruitment, development and retention of a high quality, diverse workforce to support the environmental priorities, principal places and critical approaches.

D. Relationship of Agreement to Grants

Illinois EPA will operate under a Performance Partnership Grant (PPG) in FY 98. The programs that are described under this agreement are coordinated with the program elements used for the PPG. With this approach, we have taken a major step towards a

more integrated approach to environmental management in Illinois.

Illinois EPA operates under a PPG to gain more flexibility in use of federal funds, to reduce the administrative burden of having numerous, specific categorical grants/work plans, and to make some key resource investments in priority activities. In particular, we have provided for such investments in the regulatory innovation and pollution prevention programs. We also see the performance partnership agreement and related grant as important tools to enhance consistency for performance measurement and accountability among the many environmental programs.

The parties also recognize that some specific project grants will continue in effect and operate in concert with this agreement. These special activities are best managed in this coordinated manner to ensure program integrity. The attached listing of grants shows the breakout between the categories of federal funding for FY 98.

Congress requires USEPA to ensure, to the fullest extent possible, that at least 8 percent of Federal funding for prime and subcontracts awarded in support of USEPA programs be made available to businesses or other organizations owned or controlled by socially and economically disadvantaged individuals, including women and historically Black colleges and universities, based on an assessment of the availability of qualified minority business enterprises (MBE) and women-owned businesses (WBE) in the relevant market. Region 5 must negotiate a fair share objective with each State for procurement dollars covering supplies, construction, equipment and services. Accordingly, for any grant or cooperative agreement awarded in support of this agreement, the parties agree to ensure that a fair share objective will be made available to MBEs and WBEs.

E. Joint Planning and Evaluation Process

The parties believe it is important to clearly articulate how all the components of the performance partnership are interrelated and sequenced. We will carry out the following joint planning and evaluation process (Note - The milestones shown reflect the desired timing of this process after we have everything well in hand.)

<u>Actions</u>	<u>Milestones</u>
1. Annual Environmental Conditions Report	May
2. State's Self-Assessment	June
3. Planning Dialogue Session	July
4. Agreement Negotiations	August
5. Final Performance Partnership Agreement	September
6. State's Performance Report for PPG	November
7. Region's evaluation of State's annual report	January

The State's self-assessment will serve a dual purpose; that is, as the mid-year review and as a

planning basis for the next year's agreement. It is also expected that national program guidance should be available at about this same time. File reviews or other oversight by Region 5 will be coordinated with this mid-year and annual report cycle.

II. SCOPE OF AGREEMENT

On July 31, 1997, IEPA submitted to Region 5 an Environmental Performance Self-Assessment for the following programs:

Toxic chemical management	Clean air
Environmental emergency management	Waste management
Regulatory innovation	Site remediation
Pollution prevention	Clean/safe water
Environmental education	

Thus, we have 9 programs that are described in Section VII of the agreement. The first five programs (A-E) have been described individually but are all part of a comprehensive program element, Multimedia Programs, for purposes of the PPG.

While USEPA and IEPA have attempted to provide a description of each Agency's environmental protection activities for the period of this agreement, it should be noted that there may be additional activities warranting action that are not contemplated at this time. USEPA and IEPA agree that coordination will occur as appropriate over the course of the agreement period to avoid overlap and duplication of effort in addressing new issues and concerns as they arise.

Furthermore, we recognize that this agreement does not necessarily encompass every agreement between IEPA and USEPA, and that some agreements, relationships, and activities will be described elsewhere. (USEPA also has agreements and responsibilities with other State agencies that are not included in this agreement.) This agreement does not replace or supersede statutes, regulations, or delegation agreements entered into previously with the State.

III. GENERAL PRINCIPLES FOR STATE/FEDERAL RELATIONSHIP

The IEPA and Region 5, USEPA have complementary missions to protect and restore the air, land and water resources. In order to accomplish these missions, the IEPA and Region 5 must maximize their resources and minimize activities that don't contribute to these missions or that hinder their accomplishment. Therefore, in working toward our mutual success, the IEPA and Region 5, USEPA, agree to the following principles:

1. We will work together as partners in a spirit of trust, openness and cooperation and with respect for each other's roles.
2. We will work to ensure that the State, as the major implementer of state and federal environmental protection programs in its jurisdiction, has the greatest degree of flexibility allowable under existing laws and delegation guidelines based on program performance and environmental progress.
3. We will coordinate our work to avoid duplication of effort.
4. We will work to ensure that communication is frequent and timely to avoid surprises; that communication within each agency occurs and that efforts are made to ensure that the right method of communication is used and that information reaches the right person.
5. We will use an agreed upon dispute resolution process (see attachment) to handle the conflicts that are certain to arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.
6. We will acknowledge EPA's role in the direct implementation of federal programs and in ensuring that federal programs are carried out in a consistent fashion throughout the region.
7. We will work to ensure that staff at all levels are aware of and held accountable for realizing these agreed upon principles.

IV. ENVIRONMENTAL RESULTS

Under the NEPPS, state and federal program managers are directed to focus more on "improving environmental results." To achieve this new focus, the NEPPS calls for setting environmental goals and using environmental indicators to keep better track of our progress. We see this new focus as part of the next generation of environmental protection that is starting to emerge and take shape in various ways.

Both IEPA and Region 5 have some experience working with characterization of environmental conditions. IEPA has historically collected ambient environmental quality data and reported findings in various ways. Under the NEPPS, however, we think that more attention must be paid to developing improved linkages between actual environmental conditions and program

performance so that we can better assess our effectiveness over time. It should also help us to apply our resources where they will do the most good.

A. Environmental Goals, Objectives, and Indicators

We have made numerous revisions in our goals, objectives, and indicators to be consistent with the performance measurement hierarchy agreed to between ECOS and EPA. For instance, what IEPA had called environmental “goals” for FY 97 really fall into the category of environmental “objectives” under the new framework. We have also provided new broad, long-term goals that fit with the new framework. As a result of this effort, we have a set of 8 environmental goals, and 34 environmental objectives and indicators. It should also be noted that five new indicators have been developed and incorporated into this set.

We see these goals as a useful way to focus more attention on environmental results and to guide program planning. We do not view these goals as specific deliverables that involve accountability for grants purposes. In other words, program success does not hinge solely on attainment of particular goals. Establishment of these environmental targets gives programs a more clear sense of direction and certainly sound performance should show some progress towards the desired outcome. It must be understood, however, that some environmental conditions are influenced by factors beyond the normal control of an environmental program. Thus, actual attainment of a goal may be compromised even though program performance went very well by most measures. Even with such limitations, we believe it has been useful to go through the goal setting process and to work on program linkages.

B. Annual Environmental Conditions Report

In July, 1997, IEPA released the second Annual Environmental Conditions Report - 1996. This report presents a full account of our environmental progress for the environmental goals and indicators. For continuity with the FY 97 agreement, we kept the same format for these goals and indicators rather than convert to the new framework.

From year to year, we expect to gain more understanding regarding the directional influences between the goals/indicators and the performance of these environmental programs. Eventually, we envision a two-way, inter-active relationship will develop. Performance strategies are designed to achieve progress towards the desired environmental outcomes. In turn, information gathered for the indicators may influence the program directions that are taken.

For FY 98, we expect to have the final annual report completed in May to be consistent with the joint planning and evaluation process. We are continuing to encourage public review and comment regarding this report and the progress that is shown.

V. JOINT ENVIRONMENTAL PRIORITIES

This section of the agreement presents our joint environmental priorities and an overview of the highlights for these important matters. More details and explanations can be found in the next section within the program strategies.

A. Reduction of Toxics, Especially Mercury

- Releases of toxic substances have caused serious adverse effects in humans and damage to the environment. The laws, regulations, and multiple programs of USEPA and the States traditionally have been devoted in large part to investigating and reducing releases of toxic substances, most often in single-medium contexts. Consequently, Region 5 has created a multi-media Toxic Reduction Team to promote coordination of toxics reduction efforts. The Toxics program Section within Region 5's Waste Division has primary responsibility for PCBs, TRI and lead. IEPA has a similar multi-media focus on addressing toxic pollutants. Some areas of initial emphasis are: the reduction of releases of mercury; implementation of the Great Lakes Binational Toxics Strategy; the investigation of endocrine disruptors and toxaphene; and the reduction of lead. The Region 5 Toxic Reduction Team, the Toxics Program Section, and the IEPA will work on areas of common emphasis by providing technical support, sharing information, and by coordinating and disseminating results of scientific research. Particular areas of emphasis include the following:

1. Reduce mercury levels - To meet release and use reduction goals, federal actions for FY 98 include: conduct outreach to industry, organizations, and citizens on pollution prevention and risks through grants to States; study alternative use and treatment/disposal options; provide clearinghouse support and information and assistance to States; along with implementing maximum achievable control technology standards (MACT), the Great Lakes Water Quality Initiative (GLI), and the Great Lakes Binational Toxics Strategy.

Under a grant from USEPA's Great Lakes National Program Office, Illinois EPA and the Illinois Waste Management and Research Center will be conducting training and providing pollution prevention technical assistance to hospitals in the Chicago area during FY 98. This project will focus on mercury-containing devices and waste streams.

Illinois EPA's Bureau of Land (BOL) is seeking authorization for the recently adopted Universal Waste Rule (UWR). The UWR is designed to encourage proper recycling of mercury-containing wastes (i.e., batteries, thermostats) by reducing the regulatory requirements for these wastes. In addition, Illinois EPA is developing a rulemaking petition to be presented to the Illinois Pollution Control Board (IPCB) for the addition of mercury-containing electric lamps (i.e., fluorescent and HID lamps) to the UWR. This effort should further reduce the presence of mercury in Illinois' municipal solid waste and hazardous waste streams.

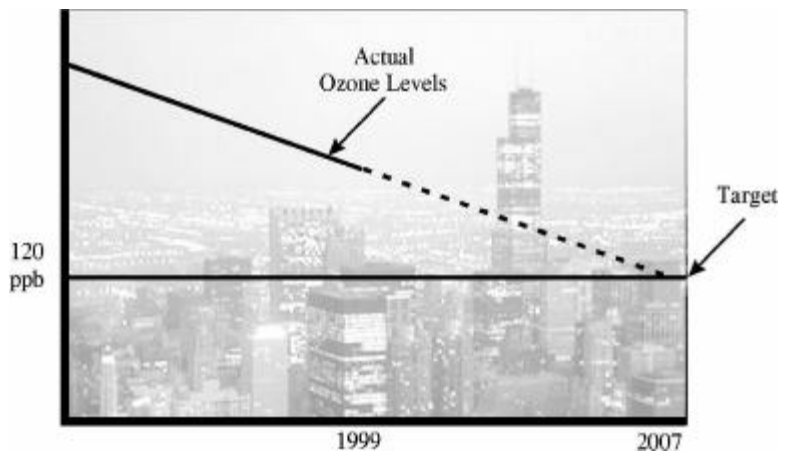
2. Reduce levels of Great Lakes Binational Toxics Strategy (BNS) toxicants - General Region 5 actions for FY 98 include: monitor and evaluate implementation of the Binational Toxics Strategy and conduct and coordinate toxics reduction activities outlined in BNS. Specific actions include: verify that certain pesticides are no longer used or released in the Great Lakes watershed; promote removal of PCBs; reduce mercury use and releases; reducing alkyl-lead from non-automotive sources; assess atmospheric pollutants; continue efforts to identify and quantify emissions of PAHs, B(a)P in particular; and investigate levels and sources of cadmium, 1,4-dichlorobenzene, 3,3'-dichlorobenzidine, dinitropyrene, endrin, heptachlor, hexachlorobutadiene and hexachloro-1,3-butadiene, hexachlorocyclohexane, 4,4'-methylenebis(2-chloroaniline), pentachlorobenzene, pentachlorophenol, tetrachlorobenzene, and tributyl tin.
3. Investigate and reduce toxaphene levels (if controllable sources are found to exist) - The Region will investigate reasons for anomalously high levels of toxaphene in Lake Superior and northern Lake Michigan and determine whether there are local or other active sources which can be controlled. Actions for FY 98 include: conduct studies to screen for local sources; conduct investigations on air/water interface, sediment cores, etc., recommended by the binational technical panel; continue process evaluation of mills; support study of bioaccumulation; and provide clearinghouse support.
4. Understand characteristics and effects of endocrine disruptors (ED) - To gauge the seriousness of ED impacts and to develop needed approaches, Region 5 actions for FY 98 include: tracking and disseminating information; develop investigation and communication strategies; responding to issues and stakeholder inquiries; training through workshops and fact sheets; support effluent analysis for alkylphenols and estrogen at POTWs; support vitellogenin analysis of fish collected in Region 5 rivers and Great Lakes; track development of water quality criteria for developing water quality standards and develop data for issuance of health advisories; provide coordination and clearinghouse support.

Illinois EPA has developed an Endocrine Disruptors Strategy (2/97). Further development work is described in the program strategies for the relevant programs.

5. Reduce lead exposure - Illinois EPA has taken numerous steps to respond to removal of lead-based paint that gets released to the environment. The IEPA investigates these incidents, takes appropriate samples and works with responsible parties to ensure adequate cleanup of these hazardous materials. IEPA is also evaluating a regulatory approach that would help prevent these adverse impacts due to unsafe removal of lead-based paints.
Region 5 actions for FY 98 include: promote education and outreach programs on lead exposure through grants; improve regional coordination; support geographic initiative efforts; and implement portions of a Regional lead strategy which could include developing and implementing portions of a Regional lead strategy which could include developing a method for screening lead cluster areas and investigating use of uniform health standards and risk assessment methodology.

B. Addressing Ozone Nonattainment

- While there has been significant improvement in ozone levels in the country over the past 25 years, ozone has been and continues to be the most pervasive air pollutant problem in Region 5, including in Illinois. It is the single pollutant for which the State is in nonattainment, and yet it is the pollutant with which the vast majority of the State's population has the most contact. Attaining the ozone standard is a top priority for both the Region and the State. It is clear that the Region and the State must work closely to identify and develop cost-effective programs that result in reductions of ozone precursors in order for the State to attain the standards. Details of the State's strategy for the next fiscal year leading to attainment of the national ozone standards can be found in the Clean Air Program section. Region 5, ARD also has a role in assisting the State in its quest for attainment of the ozone standards, including aid in developing innovative and creative approaches to obtaining emissions reductions and in advocating the approval of such approaches with USEPA Headquarters.



C. Promoting Sustainable Urban Development and Reuse of Brownfields

- Because of its increasing impacts on our air, water and land, urban sprawl has recently emerged as a priority for IEPA and USEPA. From 1969 to 1988, U.S. population rose 23% while vehicle miles traveled rose 98%. Regionally, urbanized areas have exploded without significant increases in population. IEPA and Region 5 are investigating appropriate roles in promoting more sustainable land-use patterns and growth management.

“Brownfields” has emerged over the last three years as one of the most significant issues and opportunities, for the Site Remediation Program. Illinois EPA has been a national leader in this area and will continue to improve its program efforts to accelerate redevelopment of contaminated sites. This effort will include the implementation of the two new Brownfields initiatives (the Brownfields Redevelopment Grant Program and the Environmental Remediation Tax Credit) and the Southeast Chicago hazardous waste cleanup work. Illinois EPA will continue to work jointly with USEPA Region 5 as an active participant in its Brownfield Team activities. Additional information on these joint Brownfield efforts is discussed in Section H(3).

The Illinois EPA, through the Bureau of Land (BOL), will continue to coordinate with USEPA to help evaluate the nature and extent of contamination and risks to public health and the environment from a cluster of hazardous waste sites located together near Lake Calumet on the southeast side of Chicago (Alburn incinerator, Paxton Landfills, Paxton

Lagoons, U.S. Drum, etc.) BOL also will coordinate state remedial and brownfields cleanup projects in the immediate area (Paxton II Landfill and Interlake properties), in accordance with applicable regulatory requirements, with the goals of achieving consistency with the environmental restoration goals developed by government agencies and local stakeholder groups to protect public health and the environment, promoting the development of open space and natural habitat and improving the infrastructure and drainage in the area.

The Director of the Illinois EPA has also been selected to lead a new Growth Management Workgroup within the ECOS. This strategic action reflects a growing recognition that achievement of desired environmental goals is intertwined with policies that influence how and where growth occurs.

In FY 1998, Region 5 will focus on outreach efforts, to be coordinated with those already under way in other organizations. This focus developed over more than a year of lessons learned through communications with stakeholders from the federal level down to communities on their needs as well as their views of USEPA roles. USEPA discovered that, because the problem and its solutions are most manifest at a local level, and because of an absence of direct federal authorities in this area, our efforts must focus on education and outreach to assist others in developing their own solutions. Many USEPA programs are already promoting sustainable urban development alternatives not only in their planning activities, but also in relation to their outreach, coordination, and even permitting efforts. Because this is the first year for sustainable urban development as a Regional priority, USEPA's new steering committee for Sustainable Urban Development is not meant to steer those program efforts, but to complement them, and to support them with a multi-program perspective on outreach. Specifically, Region 5 will work to increase the quality and availability of information for local decision-makers on the environmental and economic benefits of sustainable urban development alternatives, the costs of unsustainable development patterns, and appropriate methodologies for reaching development decisions. This goal has three objectives: increase the quality and availability of information for Regional staff; conduct outreach to federal and state agencies, and national organizations to help their efforts at increasing the quality and availability of information for communities; and conduct outreach directly to community audiences.

D. Cleaning up sediments

- Sediments are naturally occurring earth materials that are deposited on the bottoms of rivers and lakes. Some sediments have become contaminated with chemicals, metals, and other pollutants that can be retained in the sediments for a long time. Contaminated sediments pose a threat to aquatic life and wildlife because the contaminants can be slowly released into the environment. Humans can be at risk as well through exposure to contaminants or through consumption of contaminated fish and wildlife. Contaminated sediments are a significant and persistent source of pollution in many areas, identified as Areas of Concern, in and around the Great Lakes. Along these lines, Illinois EPA and Region 5 are pleased to report that the remedial action plan for Waukegan

Harbor has been implemented and the long standing fish consumption advisory was lifted in February, 1997. This project is currently in the monitoring stage to document that use impairments have been eliminated. Formal delisting as an Area of Concern is expected by the end of 1999.

Region 5 and the Great Lakes National Program Office will work with the States on attaining the goal of cleaning up contaminated sediments and prevention of new or additional sediment contamination through a variety of means including:

technical support; information sharing; scientific research and development; financial assistance; community

outreach and education; partnershiping and support to voluntary efforts; regulatory support and actions. The focus of these efforts will be on the priority places including the Great Lakes Areas of Concern and other waterways identified by our partners.

Warning sign comes down after Fish Advisory lifted

Photo Courtesy of Waukegan News Sun

Under a grant from USEPA's Water Division, the U.S. Army Corp of Engineers is implementing a project entitled: Grand Calumet River, IL - Sediment Clean-Up and Remedial Action Plan Feasibility Study. The project will result in a report identifying a range of remediation alternatives addressing contaminated sediments and habitat restoration of the Illinois portion of the Grand Calumet River. IEPA, in cooperation with the Illinois State Water Survey and Illinois State Geological Survey, will be providing direct support of the Corps' remedial assessment through additional physical and chemical characterization of the sediments within the study area.

E. Protecting and Restoring Critical Ecosystems - Ecosystem degradation and loss is one of the most critical environmental management problems facing the United States today. This conclusion is consistent with the international community's Biodiversity Treaty, which identifies the loss of diversity as a global problem. Ecosystems in Region 5 and the Great Lakes Basin, beset by great ecosystem alterations and biodiversity losses, nevertheless sustain globally rare ecosystems, ecological communities, and species. These resources are being lost or degraded by physical impairment, exploitation, global climate change, chemical pollution, and the biological invasion of exotic species.

The Illinois River Watershed is one of the most significant natural resources in Illinois. The watershed includes more than 90 percent of the state's population, consists of approximately 60 percent of the total land area of Illinois, and is a principal corridor for drinking water, recreation and commerce. Protection and enhancement of this natural resource is a priority concern of the state of Illinois. The Illinois EPA has identified numerous sub-watersheds that include rivers, streams, lakes or groundwater resources that represent high quality water resources worthy of protection and actions of a preventative nature to protect these resources.

In order to focus public attention and identify resource needs, several initiatives are underway which are worthy of attention:

- Integrated Management Plan for the Illinois River Watershed - Under the Chairmanship of Lieutenant Governor Bob Kustra, an Illinois River Strategy Team was formed. This group of public and private sector representatives formed an Illinois River Planning Committee to develop recommendations regarding six issues:
 1. In the corridor
 2. Soil and water movement
 3. Agricultural practices
 4. Economic development
 5. Local action
 6. Education

Recommendations under these issues form the heart of the Integrated management Plan. The Plan, released in January, 1997, became the foundation for the next significant initiative, The Illinois River Restoration and Conservation Grant Act.

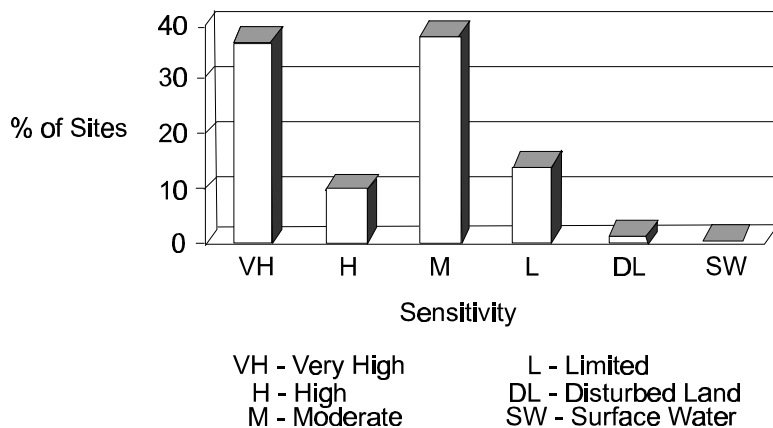
- Illinois River Restoration and Conservation Grant Act - This Act establishes an interagency body to develop and administer a grant program to fund local watershed management projects. Focus is to be placed on ecological and economic interests, and to stimulate local and private interest in watershed enhancement and protection. The Act establishes an Illinois River Coordinating Council to Advise on grant awards and to make recommendations towards the betterment of the Illinois River. The Council is comprised of representatives from the Governor's Office, the Illinois Congressional Delegation, state natural resource and environmental agencies, and private interests involved with the watershed.
- Conservation Reserve Enhancement Program - In addition to the above activities, and to initiate the objectives of protection and enhancement of the Illinois River watershed, ongoing discussions with USDA/FSA and Commodity Credit Corporation will hopefully result in Illinois obtaining an additional 232,000 acres of CRP for the Illinois River watershed to achieve the goals of reducing soil erosion and sedimentation, improve water quality, and enhance wildlife and fish as detailed in the Lt. Governor's Integrated Management Plan. The estimate total costs for the Conservation Reserve Enhancement Program for the Illinois River watershed is \$438,978,000 over 15 years. Illinois will cost share 20 percent, or \$91,733,600.
- 1997 Governor's Conference on the Management of the Illinois River System - The sixth Biennial Conference depicts the ongoing interest and concern with the Illinois River. This Conference offers a host of speakers, information technology, and continued public education on ongoing activities, issues relevant to the Illinois River and approaches to problem solving. The longevity of this conference reflects the long term concerns for the protection of the Illinois River watershed.
- USEPA and Illinois EPA Detailed Work Plans - Dialogue continues between the two agencies on the methods to best assign resources in a compatible format with ongoing activities. Workshops on watershed planning are anticipated through both efforts of the USEPA and NRCS assisting the Illinois EPA by hosting watershed management training workshops, and the Illinois EPA contracting the Conservation Technology Information Center to host three "Know Your Watershed" workshops in the Illinois River watershed. Between the two efforts, the local watershed interests will be presented with tools on not only preparing a local watershed plan, but also how to motivate the public to become involved in this effort.
- Special Resource Groundwater, and Regulated Recharge Area Projects - IEPA provided funding to the Illinois Nature Preserve Commission and the Illinois State Water Survey under a Section 319 grant to perform a study on the vulnerability of the potential for groundwater contamination at 85 dedicated nature preserves (DNP). This work has recently been completed, and published in a document entitled *Vulnerability of Illinois Nature Preserves to Potential for Ground-Water Contamination*. The Illinois EPA will work with the Illinois Nature Preserve Commission and other stakeholders in the

designation of 85 DNP's as Class III Special Resource Groundwater. Class III Special Resource Groundwater is established for: demonstrably unique (e.g., irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; or for groundwater that is vital for a particularly sensitive ecological system. Illinois EPA will review a written request to designate these areas, and upon confirmation of the technical adequacy we will publish the listing of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA will publish a final listing in the Environmental Register.

The Nature Preserve Commission may want to establish biologically based standards for these areas. The Illinois EPA will also work with stakeholders through the Interagency Coordinating Committee on Groundwater's Groundwater Standards Subcommittee to evaluate the development of



Nature Preserves and Karst Areas in Illinois



appropriate Class III standards for the areas that are contributing to these ecologically sensitive groundwater systems. To apply more stringent water quality standards will involve developing a regulatory proposal for the Illinois Pollution Control Board. Recent research described in a Illinois State Geological Survey document entitled *Impact of Urban development on the Chemical Composition of Groundwater in a Fen-Wetland Complex (in Press)* appears to document the need for more stringent water quality standards.

Several of these DNPs are located in Monroe and St.Clair Counties that is predominated by karst features. Karst means an area that is underlain by caves that were created by chemical solution of the bedrock, and whose landscape is characterized by the following land forms:

- closed depressions (sink holes) of various size and arrangement;
- disrupted surface drainage; and
- caves and underground drainage systems.

The U.S. Fish and Wildlife Service has also proposed listing the Illinois cave amphipod (*Gammarus Acherondytes*) as an endangered species in Monroe and St. Clair Counties.

Illinois EPA may also be petitioned by the Southern Priority Groundwater Protection Planning Committee to developed a regulated recharge area for these karst areas of Monroe and St.Clair Counties.

Through Illinois EPA's RCRA permitting process, all RCRA permit applications must contain a certification from the responsible government agency that the facility's existence in its proposed location is in compliance with the following Federal Acts:

- 1) The Wild and Scenic Rivers Act
- 2) The National Historic Preservation Act of 1966
- 3) The Endangered Species Act
- 4) The Coastal Zone Management Act
- 5) The Fish and Wildlife Coordination Act

The role of USEPA, with respect to the protection and restoration of critical ecosystems in Region 5 and the Great Lakes Basin, will be to foster stewardship by our partners among the public, in private organizations, business and industry, and government. While the role of USEPA has changed and continues to change, the new approaches should supplement and enhance media-specific regulations and standards. Region 5 will provide and seek training; enhance coordination and collaboration with partners of ecosystems issues; and factor in ecosystem protection into traditional and innovative applications of EPA policies. USEPA will continue to emphasize protection of wetlands including: permits; grants administration and compliance assistance. In addition, Region 5 will continue to ensure that there is national consistency in the application of environmental laws related to the protection and restoration of critical ecosystems.

F. Protecting People at Risk, Especially Children and Environmental Communities -

Over the last decade, concern about the impact of environmental pollution on particular population groups has been growing. There is widespread belief that minority or low-income populations bear disproportionately high and adverse human health and environmental effects from pollution. Further, in September 1996, USEPA Administrator Carol Browner released a report on environmental health threats to children. Children are particularly vulnerable to environmental health risks because their systems are still developing, they eat and breathe proportionately more food and air per pound of body weight and typical childhood behaviors, such as playing outside, crawling on the floor or putting things in their mouths, exposes them to different environmental hazards. IEPA and Region 5 are committed to addressing environmental threats to these populations.

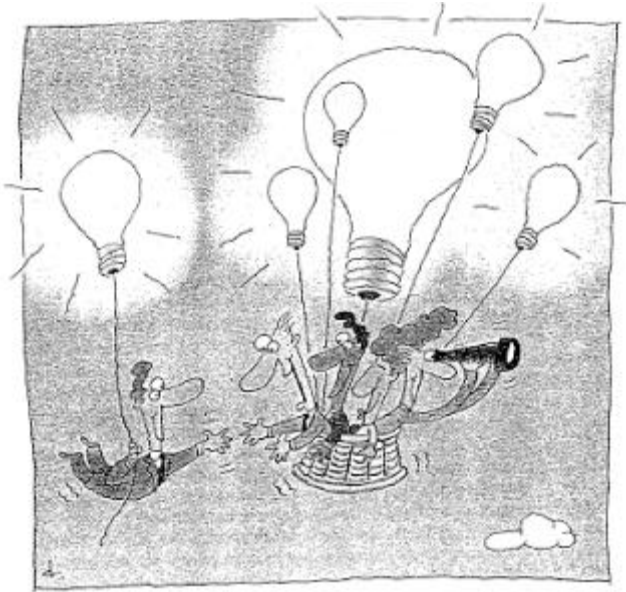
Illinois EPA is developing a multimedia compliance management strategy (see regulatory innovation program). One component of this strategy involves studying “sensitive receptor areas.” For example, IEPA may focus on schools and environmental events (accidental releases, violations/enforcement cases, total toxic chemical releases, etc.) that occur in the vicinity of these facilities. Areas of high potential impact will be identified and evaluated for protective measures.

Region 5 will promote partnerships, outreach, and communication with affected communities, Federal, Tribal, State and Local governments, environmental organizations, academic institutions, non-profit organizations, and business and industry. This outreach includes grant opportunities, creation of educational materials and other direct means of communication, as described in media specific programs. The Region 5 “Ozone Action Days - Special Alert for Asthmatics and Persons with Respiratory Illness” Brochure, Tools for Schools and the lead and pesticides grants and educational tools are examples of these efforts. As appropriate, at the National and Regional level, USEPA will support, design and conduct efforts to conduct environmental and human health research needed to support its environmental justice and children’s programs. Data related to these issues will be made widely available in formats accessible and understandable to the impacted communities. Finally, Region 5 will include a focus on environmental justice issues in its permit issuance and review and in its enforcement initiatives, compliance analysis, and regulatory review. USEPA will implement Title VI of the Civil Rights Act and will consider environmental justice issues through the review of and comments on other Federal agencies’ proposals and actions under the National Environmental Policy Act and Section 309 of the Clean Air Act.

G. Regulatory Innovation

- The command/control regulatory approach has dominated environmental protection for more than twenty-five years. While much progress has resulted from this approach, various management and performance concerns have also developed as ever more stringent regulations have been employed. Some States have begun to look into alternative approaches that may be more suitable for future environmental protection programs.

In Illinois, statutory authorization was provided in 1996 to conduct a pilot regulatory innovation program for five years. Under this program, we expect to enter into agreements with progressive companies that want to sponsor projects to try out innovative environmental measures. Further explanation of this program and other innovation work is provided in the next section. Several other activities are also part of this program, including Common Sense Initiative, small business assistance and multimedia compliance management. IEPA will work with USEPA and other members of the Common Sense Initiative Metal Finishing Subcommittee to implement a voluntary, performance-based program that encourages metal finishers to achieve environmental excellence through pollution prevention, environmental management and regulatory efficiency incentives.



"True innovation requires an organization that is receptive to new ideas."

TECHNOLOGY REVIEW, 1993

Regulatory innovation is one of Region 5's priorities for FY 98. Region 5 will work to develop and provide new approaches to the existing regulatory framework which are more efficient and flexible, reward creativity and outstanding performance, and protect more effectively human health and the environment. This will include developing and implementing national initiatives such as XL and ELP, as well as involvement with the USEPA-ECOS forthcoming agreement on regulatory innovation.

VI. PUBLIC INVOLVEMENT

Both the Illinois EPA and the USEPA are publicly accountable government organizations that exist to protect human health and the environment. This agreement is an evolving public document that can inform and guide public debate on environmental problems, goals, priorities, strategies and accomplishments; a document whose development and content over time will be in part shaped by public involvement. The Agencies commit to development and use of a mix of approaches to effectively achieve public outreach and involvement.

Public outreach and involvement have several fundamental purposes:

1. Public information - to increase public understanding of the critical environmental issues

- facing the State.
2. Public education - to share information with the goal of motivating environmentally desirable public behaviors.
 3. Public involvement - to engage in dialogue with stakeholders in order to gather their input and feedback systematically, offering an opportunity to shape the content and direction of environmental programs. Stakeholders include the other governmental entities, the regulated community, interest groups, academia, and the general public.
 4. Coordination - to engage in cooperative discussion and activities with other providers of environmental protection services (e.g., other state and federal agencies, local governments, public, private, and non-profit groups) to ensure that planning goals, strategies, and implementation measures maximize environmental benefits and minimize duplication, gaps, and inconsistencies.

For FY 98, Illinois EPA and Region 5 held three focus group dialogue sessions. The first session for local governments was held on September 26, 1997. The second and third sessions for environmental and business interests was held on October 2, 1997. Some 76 entities were contacted and invited to take part in these discussion sessions. Thirty-two persons participated in these sessions. These persons represented 28 different organizations, groups or companies. An attachment presents a summary of these discussions, including IEPA's responses, and lists the participants in these sessions. IEPA has also prepared and attached a master list of MOA/MOUs in response to an inquiry made during one of these sessions.

VII. PROGRAM PERFORMANCE AND ACCOUNTABILITY

For this agreement, we have revised the program performance measures to fit the hierarchy ("SMART" Chart) agreed to by ECOS and EPA. This effort represents a substantial enhancement of our overall management approach under NEPPS. We have, included the environmental goals and objectives, and program objectives and outcomes in the main text of the agreement. The program outputs, however, are all listed as an attachment. This approach reflects our desire to emphasize focusing on environmental results.

Illinois EPA and Region 5 continue to evaluate the national environmental data and reporting systems for each major program to identify good candidates for streamlining, wherever possible. This effort is believed to be critical for realizing the full potential of the NEPPS. During the first quarter of FY 98, we expect to complete the following next steps:

- An agreed master inventory of program data and reporting
- Possible candidates for reduced reporting.

Illinois EPA and, when applicable, Region 5 agree to the following multi-program performance deliverables for FY 98:

- a. Program weaknesses or improvement needs that are identified in the IEPA's self-assessment, in concert with EPA's perspective on environmental conditions and program performance,

will be appropriately addressed.

- b. National environmental information and reporting systems will be supported through timely submittal of data that is collected by the State and Region.
- c. Suitable fiscal controls will be operational and adequate financial reporting will be maintained.
- d. Core performance measures will be addressed as shown in the program-specific sections of this agreement.
- e. Performance strategies will be implemented and results achieved will be evaluated in the next self-assessment and the annual performance report.

To accommodate what we are still learning about NEPPS, we may need to revise our performance expectations at appropriate times during the year. Both parties are amenable to being responsive to responsible requests for change as the circumstances may dictate.

MULTIMEDIA PROGRAMS

For FY 98, Illinois EPA is continuing several investments in the multimedia programs described in subsections A-E. These commitments of additional resources reflect our determination that more effort is necessary in the specified program (marked with a ★) if we are to achieve the desired environmental results. For the purposes of the PPG, programs A-E are all part of one comprehensive program element for multimedia programs.

A. Toxic Chemical Management Program

1. **Program Description** - This program deals primarily with “toxic chemicals” and strives to take a multi-media management approach whenever possible. In particular, chemical substances that are regulated under TSCA and chemicals subject to reporting under EPCRA form the core focus for this program. Integration and analysis of toxics information from other environmental protection programs is also part of this effort. In this way, we hope to gain a better handle on the full gamut of toxic chemical risks in Illinois.
2. **Program Linkages to Environmental Goals** - We see this program as supporting the work of the media programs that are responsible for achieving clean air, land, and water. Given this perspective, there is no point in having a separate and distinct environmental goal for this program. We have, however, set forth the following environmental objective that we believe can serve as a guidepost for this program.

Environmental Objective

Total toxic load on the environment will be steadily reduced towards zero adverse consequences.

Environmental Indicator

Annual toxic load for air, land and water

We project this downward trend due to a variety of forces and actions. For example, some companies have voluntarily reduced toxic chemical releases as documented by EPA's 33/50 program. In other instances, media programs are pursuing improved toxics control such as MACT regulations for hazardous air pollutants. Greater availability and better integration of toxics chemical information should also help program managers find opportunities for more reductions.

3. Performance Strategies

- a. Toxics release information (TRI) - IEPA will undertake several on-site TRI data quality evaluations during FY 97. This is a pilot effort that IEPA undertook for the first time during FY 97. IEPA's Annual Toxic Chemical Report will be further revised to reflect our new environmental goals and indicators. Industry progress towards achievement of the reduction target (30% over 5 years) will be identified on a sector basis.

Program Objective

Regulated facilities that timely file Form R reports will exceed 95 percent.

Program Outcome Measure

Percent of regulated facilities that timely file Form R reports.

- b. Toxics database integration - This project was completed in FY 97. Building on what we learned and developed, we plan on creating a total toxic load database that reflects all the significant sources of toxic chemicals.

The IEPA has also been involved with the USEPA's workgroup for development of a uniform facility I.D. We expect to continue this involvement, as needed, during FY 98.

- c. PCB compliance assurance - To help offset the loss of funding for sample analyses, a pilot effort using field screening tests was conducted during FY 97. From these efforts, we have determined that the pilot work should be continued to develop a sound basis for reaching a conclusion. Outreach regarding PCB phaseout and compliance assistance will continue at a reduced level.

Core Perf. Measure

- Percentage of inspected facilities that are compliant with PCB regulations.

- d. Safe removal of lead-based paint - Focusing on removals from exterior surfaces and superstructures, IEPA will continue to explore a more efficient regulatory scheme that focuses on prevention rather than response to problems. IEPA continues to respond to incidents where lead-based paint gets into the environment due to poor removal practices.
- e. Access to federal CBI data - It is difficult to predict what direction this policy issue will take. IEPA will continue to participate, as appropriate, with USEPA in working out an acceptable approach. Some consideration of this matter will likely take place in the Chemical Management Project within the FOSTTA.

- f. Endocrine disruptors strategy - In February, 1997, the IEPA released a document titled "Endocrine Disruptors Strategy." This strategy has generated a lot of interest among companies that make or use the listed chemicals. As a result, IEPA has agreed to participate in a series of technical workshops sponsored by the Chemical Industries Council of Illinois. Specific issues will be identified and discussed by technical experts from government and industry.

4. **Program Resources**

- a. Toxic chemical release information - This activity is funded entirely from State sources.
- b. Toxic chemical database integration - To be determined.
- c. Access to CBI data - This activity is funded entirely from state sources.
- d. PCB compliance assurance - The work will be performed through the Office of Chemical Safety at IEPA. The Agency will devote 2.2 full-time equivalent headcount to inspectional, case development, phaseout and outreach activities. Five personnel will be utilized on a part-time basis each. These staff will do TSCA half-time and emergency response otherwise. Only two inspectional case development/phaseout/ outreach headcount would be charged against the grant. IEPA will continue to utilize its Organic Chemistry Laboratory (Springfield) for securing and analysis of samples taken during compliance inspections. The Springfield laboratory has been evaluated and approved for PCB analysis by the USEPA, Region 5 office. Administrative and clerical headcount for inspectional and case development will total 0.05 of a full time equivalent headcount. A State Quality Control Officer will be designated within the Office of Chemical Safety to assure that report format and contents are consistent with USEPA standards, and that all suspected violations are properly documented before reports are submitted to USEPA Region 5 for case review and development. Sample analysis quality will be assured by a review process as specified in the previously approved Quality Assurance Project Plan.
- e. Lead-based paint removal - This activity is currently funded entirely from state sources.
- f. Endocrine Disruptors Strategy - This activity is funded entirely from state sources.

5. **Federal Role for Toxic Chemical Management Program** - Region 5 has a Toxics Program Section and a Toxics Reduction team. The Toxics Program Section (in WPTD) includes program activities for PCBs, the Toxic Release Inventory (TRI), and lead (Pb). The Toxic Reduction team is a cross-program/multimedia effort. The team's main activities for FY98 are to address mercury, endocrine disruptor, lead (Pb) and, the Great Lakes Binational Toxics Strategy. Region 5 will take the following actions relating to IEPA's program:

1. Evaluate results obtained from IEPA's field screening of PCB samples and work towards agreed protocol for using this tool on an on-going basis.
2. Work with IEPA to implement the MOA that recognizes the TACO process.
3. Work with IEPA on a joint plan for TRI outreach and on conducting TRI data quality reviews at facilities in Illinois.
4. Provide relevant information about control/regulation of lead-based paint removal.
5. Continue dialogue with IEPA about strategies for dealing with endocrine disruptors.
6. The TRI and TSCA Programs will play an advisory role on issues pertaining to EPCRA § 313 and TSCA whenever IEPA requests and address the following:

- The TRI and TSCA Programs will make sure that IEPA is updated on new regulations, policies and guidance and Regional initiatives within the State of Illinois.
- The TRI and TSCA Programs will provide IEPA technical assistance on EPCRA § 313 and TSCA regulations.
- The TRI and TSCA Programs will advise IEPA on EPA National and Region 5 priorities, goals and enforcement strategies.

6. **Oversight Arrangements**

- a. Toxics release information report - Not applicable since no federal funding is involved.
- b. Access to CBI - Not applicable.
- c. Toxics data integration - Not applicable.
- d. PCB compliance assurance - Oversight will be minimized for this activity. IEPA has continued to demonstrate sound performance for all aspects of this program.
 - The parties will use the joint planning and evaluation process described in Section I as the principal review procedures.
 - Appropriate inspection reports will be submitted by the IEPA.
- e. Lead-based paint removal - Not applicable due to the absence of federal funding.
- f. Endocrine Disruptors Strategy - Not applicable.

B. Environmental Emergency Management Program

1. **Program Description** -This specialized activity deals with prevention of, preparedness for and response to environmental emergencies such as spillage or sudden, accidental release of hazardous substances. Appropriate and timely response to these incidents is a high priority for the parties. The IEPA's role is spelled out in law and in coordinated state, regional and national contingency plans. The general authority and responsibility of the State administrative agencies to deal with disasters and emergencies is specified in the Illinois Emergency Management Act.
 - The Illinois Emergency Management Agency (IEMA) is the State's principal coordinator for disaster response. This agency serves as the single official State point of contact for notification of emergencies and has developed an all-disasters management plan called the Illinois Emergency Operations Plan. The IEMA operates the State Emergency Operations Center to handle disasters.
 - The IEPA is the lead State agency for technical response to emergency events involving oil and hazardous materials, although some exceptions apply. This functional area of response coordination is one of nineteen that make up the Illinois Emergency Operations Plan. IEPA is also a support agency in certain other functional areas.

The IEPA is also involved with the preventive aspect of environmental emergencies. One means is through implementation of the Illinois Chemical Safety Act, which requires certain industrial facilities to develop and maintain chemical safety contingency plans and conduct periodic training for designated staff that deal with chemical emergency incidents. Another means of prevention is by oversight of comprehensive chemical safety audits that are performed by facilities on chemical process operations. These are usually in response to a permit requirement or a court sanctioned consent decree negotiated to resolve a lawsuit filed by the State concerning a spill or release. These chemical safety audits often involve Hazard and Operability (HAZOP) studies or similar comprehensive safety reviews such as those that are described in the USEPA proposed Risk Management Plan regulation (40 CFR Part 68).

2. **Program Linkage to Goals/Indicators** - We see this program as being supportive of the efforts to achieve the environmental objective for total toxic load on the environment. Emerging incidents represent another source of toxic loading that may adversely impact the environment. Over the next five years, our performance strategies should result in a definite drop in the number of emergency incidents at fixed facilities and during transportation. Facilities will be better informed and prepared to prevent and/or handle emergencies due to IEPA's analysis of and reporting about significant release incidents. Some specific industrial processes at facilities should be safer to operate due to the special studies that will be done and related hazard reduction actions taken. IEPA's enhanced enforcement efforts, especially for frequent spillers/releasers, should also lead to less frequent and less severe incidents at some facilities.

The following table shows the program objective and outcomes set for this program:

Program objective	Program outcome measures
The total number of reported emergency release incidents will decline over the next five years	<ul style="list-style-type: none"> ● Annual total number of reported emergency release incidents that involve fixed facilities and transportation. ● Percent of fixed facilities that have multiple incident notifications in the reporting year.

3. **Performance Strategies** - Appropriate response to environmental emergencies is among the highest priorities of IEPA and Region 5. Management of that response is conducted within the context of a larger disaster management framework involving all State agencies working with local and federal authorities. The Office of Chemical Safety (OCS) is responsible for managing responses to emergency incidents.

- a. Reaffirmation of the roles of responders and the system of managing emergency response within IEPA is a near term goal that will be achieved by adoption and implementation of a new IEPA policy on emergency management during FY 99.
- b. IEPA will continue to operate a response system that has four principal components.
 - Duty officers - In order to ensure IEPA capability to assess emergencies on an around-the-clock basis, OCS maintains a duty officer system. Each of the 9 volunteer duty officers is an IEPA professional who is available on-call to the IEMA dispatchers during non-office hours for a week at a time. IEMA receives spill notifications on their toll free hotline on a 24-hour basis and also receives calls during non-office hours. The duty officer evaluates each notification and can contact an on-call OCS staffer in each of three offices in the State (Maywood, Collinsville, and Springfield) for further technical advice or to request them to respond in person to an incident.
 - Core response team - OCS has professional staff that work full-time on responding to emergency incidents. This core response team operates principally out of Springfield but also has field staff in Maywood and Collinsville. Whenever possible, the IEPA dispatches these specially trained staff to handle emergency situations. This team also gives expert advice to other field operations staff and local officials that may have responded to an incident.
 - Regional field personnel - Over 183 technical staff from the Agency's field offices are distributed in seven regions throughout the State and may be called on to respond to incidents when they either are closest or when individuals have unique technical expertise.
 - Legal support - The IEPA has provided an attorney and a paralegal for support of this activity. Various types of viable enforcement cases arise from these emergency situations.
 - Federal assistance - Region 5 will work with IEPA to determine the feasibility of allowing advance funding to states from the federal OPA fund. Coordination with the Coast Guard will be necessary since the fund is controlled by their rules.
- c. There are several efforts focused on the preventive aspects of emergency management that target one or more of the probable causative areas. The non-random or systemic causes can be reduced by focusing efforts to correct the root cause which may be traced to one or several operational, process design, maintenance or management deficiencies. OCS has also begun systematically focusing more efforts recently on compliance efforts involving businesses which frequently report incidents. In the past, this type of approach had been limited to facilities which had very egregious incident histories.
 - Chemical safety activities - Under the Illinois Chemical Safety Act (ICSA), future strategy will be to increase the effectiveness of such plans by conducting a study of "significant releases" that have occurred during the past ten years and communicating the results with the facilities regulated by ICSA. This study will encompass the causes of such releases, the impact of ICSA plans in mitigating releases, and the deficiencies frequently found when plans have been reviewed by IEPA.
 - Another approach used by IEPA to address serious releases from technologically complicated process facilities is to require and monitor the conduct of detailed

engineering studies of accidental chemical release potential. Such studies usually begin by identifying risks for various failures in the processes that can result in chemical releases. Often a very detailed and systematic procedure called a Hazards and Operability Study, or HAZOP, is conducted. This approach has been most frequently used by IEPA in an enforcement context as a stipulation of a consent decree. In other situations, such studies have been required as a permit condition.

- d. Recently, greater emphasis has been given to the use of enforcement and compliance assurance tools to obtain more prompt and thorough cleanups. Facilities or entities which have a relatively high frequency of spills have also been targeted for increased scrutiny. Examples are the oil and fuel pipeline operators, railroad locomotive spills and spills to surface waters. In addition to remediation, a strategic focus of this effort is to encourage adoption of approaches to reduce the recurrence of these types of incidents.
4. **Program Resources** - Historically and practically the emphasis has been toward responding to emergencies, assessing the risks to human health and the environment, assisting local responders as appropriate, and assuring appropriate cleanup by the responsible party or with public resources when necessary. About 7 staff are devoted to response, 4 staff to subsequent compliance and enforcement, 1 person to ICSA implementation and 1 person to HAZOP activities. These core staff are funded from non-federal sources. Other field staff that work in the Air, Land or Water Bureaus are funded from a mixture of sources that is addressed in their respective program performance sections.
5. **Federal Role for Emergencies** - State emergency management is coordinated with federal capabilities in general through the Federal Response Plan. With respect to the technical aspects of environmental emergencies, state and federal efforts are coordinated in accordance with the Regional Contingency Plan for hazardous materials and with the Oil Pollution Act Area Contingency Plan for oil spills to surface waters. If the USEPA is notified of a release or other incident which might require an emergency response, it will notify the IEPA. The IEPA may request technical and/or enforcement assistance from USEPA if it is unable to adequately respond due to limitations on resources or authority. USEPA will respond if the criteria for a response action in the NCP are met based on manpower availability. USEPA agrees to notify the State of the intent to conduct an emergency response action prior to initiating on-site activities. In cases of extreme emergency, the USEPA will make a reasonable attempt to contact IEPA and will proceed as required to mitigate threats to the environment, public health and welfare.
6. **Oversight Arrangements** - No formal arrangement has been used for this program. At this time, it does not seem necessary to change the working relationship.

C. Regulatory Innovation Program★

1. **Program Description** - In particular, Illinois EPA has given statutory authorization in 1996 to operate a regulatory innovation pilot program for five years. Under this new authority, IEPA may enter into agreements with project sponsors that want to test innovative environmental measures. We expect to generate several of these environmental management system agreements (EMSAs) during FY 98.

The Illinois EPA continues to operate the Clean Break Program which offers assistance to small businesses. The IEPA expects to begin work on a "Multimedia Compliance Management Strategy" during FY 98. The IEPA also participates in the Common Sense Initiative being sponsored by USEPA.

★Resource Investments - The funding investment made during last year will be continued for FY 98. It remains to be seen if additional investments is necessary to respond to participate in pilot projects.

2. **Program Linkage to Goals/Indicators** - To the extent that environmental program improvements are eventually generated by all or some portion of these special initiatives, we would also expect some actual results to be reflected in the environmental indicators. At this point, however, we cannot reasonably predict the level of success that will be achieved. At the same time, it seems highly unlikely that none of these projects will bear environmental fruit. We remain optimistic, therefore, that some environmental progress will be generated over the next five years. This progress could be reflected in multiple indicators since the initiatives tend towards multimedia impacts.
3. **Performance Strategies** - The following action plan will be pursued for these special activities:
 - a. **EMS agreements** - Under IEPA's new law, we may enter into EMS agreements with cooperating companies or other regulated entities that want to pilot test specific regulatory innovations. We expect to have several companies develop agreements during FY 98.

Program Objective
Majority of projects undertaken will be fully or partially successful.

Program Outcome Measure
Projects that are undertaken will be evaluated to determine if they are successful, partially successful, or not successful.

- b. **Common Sense Initiative (CSI)** - The IEPA will continue to participate in the CSI that is sponsored by USEPA. Director Gade is a member of the CSI Council that is overseeing this major initiative. Senior staff of the IEPA are members of three sector subcommittees (autos, computers/electronics and metal finishing). These subcommittees and related workgroups meet every two months or so and often hold conference calls in between. At this time, we cannot predict the course these developmental efforts

will take, but do expect some results to be generated during FY 98.

- c. Small business assistance - Assistance to small businesses will be focused through the Office of Small Business, but is an effort shared by all Bureaus and Offices within Illinois EPA. The numerous activities draw upon resources across the Agency and are aimed generally at improved environmental compliance through common sense methods. The key activities of the Office of Small Business are as follows:

- Clean Break program
- Awards
- Helpline
- Newsletter
- Regulatory guides
- Self-directed audits

1. Clean Break Program - Managing this program for all small businesses in the state is a major assistance effort. After 2 pilot projects dating back to 1995, Clean Break is now available to all small businesses in the state for calendar 1997. The program has now seen over 400 clients in the pilots. Summary reports with further details are available for both pilot projects.

The program enjoys some degree of success, although small businesses are still wary of becoming involved with Illinois EPA. Marketing the benefits of the program is a critical challenge in 1997. Less than 40 businesses have opted into the program in the first 6 months of 1997. Significant additional numbers of small businesses could still enter Clean Break prior to December 31, 1997. If the need is present, the program may be extended into calendar 1998.

Program Objective	Program Outcome Measures
More than 80 percent of our clients successfully complete the agreement process.	Success Ratio= $\frac{\text{Number of Clients Reaching Agreement}}{\text{Total Number of Eligible Clients}}$

2. Toll-free small business helpline - This service within the Office of Small Business has just gotten under way in April 1997. The number of calls is increasing, particularly from those interested in Clean Break. The staffing of the help line is accommodated through a unique arrangement with Region 5. By using program grant funds, Illinois EPA has secured a Senior Environmental Employee to take the calls, make responses, manage the process and track activities. It is anticipated that this will be a long term arrangement.
3. Plain language regulatory guides - Producing these guides for small businesses continues to be a priority. This was a priority in FY 1997 as well but, it has been exceedingly difficult to reach consensus on content and format, so none have actually been completed. There is a delicate balance of including enough factual information to be accurate and complete, but not so much as to be complicated and hard to understand. Presently the Agency has more than a dozen guides or common sense fact sheets in development on a broad assortment of subjects. It is expected that

many will be ready in late 1997.

The Illinois EPA, in partnership with the Illinois Department of Commerce and Community Affairs (DCCA), has applied to Region 5 for funding under the Small Business Regulatory Enforcement Fairness Act (SBREFA) for use in developing and distributing guides. Receipt of this funding will greatly enhance the ability to produce a quantity of high quality documents.

4. Environmental recognition awards program - We will reward high performers which will serve as an education medium for all small businesses. In conjunction with the Office of Pollution Prevention, awards criteria will be developed, a system to receive nominations will be established, an awardee selection panel will be convened and an awards ceremony will recognize businesses that have done a superior job of going beyond compliance and/or have shown environmental protection leadership in their community and industry.
 5. Small business newsletter - We want to create a newsletter and routinely distribute it to the small business community. This will increase environmental awareness and knowledge of Illinois EPA programs and requirements. Articles will be drawn from throughout the Agency and will be directly targeted at small business environmental compliance and pollution prevention.
 6. Small Business Pollution Prevention Grant Program - In conjunction with the Office of Pollution Prevention and the Illinois Waste Management and Research Center, a grant program will be created to assist small businesses in performing pollution prevention assessments. The goal is to encourage businesses to discover source reduction opportunities at their facilities.
 7. Interactive computer program for multi-media regulatory compliance audits - This would be a self-directed computer program that could lead the user through a multi-media environmental assessment of business operations. Through a question and answer format, it would identify the applicable regulations for the business and help determine the compliance status. It could be used by the Agency to streamline multi-media inspections at small businesses and by small businesses to perform self-audits. Illinois EPA will be looking to Region 5 for financial support and technical expertise through Purdue University.
- d. Multimedia compliance management strategy - The Agency intends to pursue a strategy for managing all of its media compliance monitoring programs in a manner which promotes the efficient, timely, and appropriate resolution of all violations. In this sense, this strategy is "multi-media" in scope although much of the compliance monitoring effort will have significant single media focus due to the character of the facilities we regulate and the nature of the statutes to which they are subject. The single media character of the Agency's compliance monitoring program is described in the various media program components of the performance partnership. Following is a summary of the multi-media element of our overall compliance monitoring program for FFY98.

Purpose - The purpose for considering multi-media issues while pursuing the Agency's compliance monitoring and enforcement programs is to provide for a more complete assessment of environmental compliance, achieve the timely and appropriate resolution of these violations, and make effective use of our compliance and enforcement resources. In pursuing this strategy, the Agency acknowledges that a balance must be achieved in pursuing this strategy. This balance refers to the desire to be all encompassing in our compliance assessments while recognizing that, in many cases, the environmental benefits from such actions are not sufficient to warrant the compromises which often are made in terms of resource allocation and timeliness.

Consequently, the Agency has adopted a multi-media perspective in planning and implementing its compliance and enforcement programs but it judiciously chooses the most appropriate means to implement its overarching purpose. Specifically, this means that we may choose to conduct simultaneous multi-media inspections, staggered single media inspections organized over a limited period of time, or single media inspections whose violations are viewed by all media programs in order to identify and coordinate actions which might be stimulated by the results of such inspections.

Project Components

1. **Complex Chemical Processes** - Facilities of various sizes and types that utilize complex chemical processes most often have single event releases which substantially impact air, land, and water environmental resources. The Agency will be identifying several sources of this sort which will be appropriate for planning some level of coordinated multi-media investigations. The results of all single media investigations for this facility category will be carefully reviewed to determine appropriate follow-up multi-media activities.
2. **Odor Offenses** - The public is often affected and disturbed by odor impacts in their local community. Frequently, these odors emanate from multi-media sources. It is also common that pollution prevention solutions are quite effective in resolving these problems. Some examples of such sources are waste water treatment facilities, hog confinement operations, incineration activities, synthetic chemical manufacturing. The Agency is identifying candidates for multi-media and P2 assistance in this category.
3. **Anhydrous Ammonia Releases** - The Agency will continue developing its comprehensive approach to addressing the multi-media impact of the release of anhydrous ammonia to the environment. These releases are most often sudden and unplanned. We are enhancing our response capability by providing comprehensive training to selected staff of all media who will be particularly well suited to respond to all aspects of this problem. Additionally, a compliance assistance program will be developed and implemented to aid in the prevention of these releases.
4. **USEPA's Mini-Mill Initiative** - Resources will be devoted to collaborating with the USEPA in its Region V mini-mill initiative. In FFY97, this work has involved an extensive amount of compliance assistance including promoting self-audits and self disclosure to ensure compliance and preclude the need for, or reduce the scope of, Illinois EPA and USEPA investigations. There are 6 mini-mills in Illinois impacted

by this initiative. The Illinois EPA plans to participate in all FFY98 mini-mill multi-media investigations.

5. Major Facilities with Cross Cutting Environmental Impacts - The results of past investigations of individual media major source investigations are being analyzed to determine facilities that may have a potential significant multi-media impact environmental impact resulting from one or just a few processes. Programmatic examples of these are facilities affected by the NPDES water permit program, the Title V air permit program, and the land hazardous waste or small quantity generator requirements.
6. Geographic Initiatives - In addition to participation in the USEPA's St. Louis Gateway initiative and the Greater Chicago initiative, the Illinois EPA will be developing a geographic focus for multi-media concerns for the following:
 - Crab Orchard Refuge- There are a number of significant sources in the domain of the Crab Orchard refuge which can significantly impact the ecosystems of that area. The area includes a Superfund site, both water and waste water facilities, and various industrial tenants. It is also the site of a U.S. Penitentiary. During FFY98, the Illinois EPA will be developing a strategy to implement a cohesive compliance monitoring program in this area. Some site investigations will be performed but the bulk of the program is anticipated to be conducted during FFY99 and FFY00.
 - Sensitive Receptor Areas- During FFY98, the Illinois EPA will begin work to complete a comprehensive review of its multi-media environmental data records to help identify those geographical areas in Illinois which might pose a particularly important impact on sensitive human population or the environmental areas. For example, we may focus on schools as a sensitive receptor due to the presence of children. This analysis will use various tools and techniques to analyze all relevant data. While some compliance investigations are anticipated, the program that will evolve from this work will be conducted over the following three years. It is expected that some of the geographic areas already identified for special focus will also be identified in this effort. However, we will be looking for a more neighborhood focus which may well provide some unique results.

As part of this new process, IEPA is looking into integration of certain compliance data. Several hundred facilities have also been selected as being suitable for multimedia attention.

D. Pollution Prevention Program

1. Program Description - The Illinois EPA seeks to promote pollution prevention as the dominant strategy for environmental protection through integrated, multi-media efforts,

cooperative partnerships, voluntary incentives, technical assistance and community outreach. Our core pollution prevention activities involve:

- Regulatory integration
- Voluntary incentives
- Technical assistance
- Partnerships
- Partnering with businesses, groups and communities
- Beyond compliance initiatives

★Resource Investments - The funding investment made during last year will be continued for FY 98.

2. **Program Linkage to Goals/Indicators** - This program serves as a means to help achieve various environmental goals and objectives set by the IEPA. It helps reduce toxics loading and meet clean air, land and water aspirations. As a policy matter, IEPA is working to see prevention as the preferred way of delivering better environmental protection. To maintain this emphasis, we have set the following general program objective and outcomes:

Program Objective	Program Outcome
The amount of pollution eliminated or reduced at the source increases each of the next five years.	<ul style="list-style-type: none"> • Percent of TRI facilities/HW generators reporting P2 activity. • Annual amounts of pollutants and wastes reduced through P2 projects.

3. **Performance Strategies**

a. **Regulatory Integration**

1. Working with each Bureau, institute a process for cataloging, recognizing and evaluating the effectiveness of existing P2 activities to help identify opportunities for increased use of these approaches.
2. Form an internal multi-media team to assist each Bureau in developing P2 policies, projects and measures that will help achieve media-specific environmental goals. Examples of P2 projects:
 - developing standard P2 language for permit letters and renewal notices,
 - conducting P2 surveys for targeted industries or geographic areas,
 - providing P2 assistance to help companies drop below regulatory thresholds,
 - making special efforts to refer selected facilities to the IL Waste Management and Research Center (WMRC) to help resolve compliance problems.
3. As a follow-up to the Total Quality Environmental Management (TQEM) training workshops for the Maywood field office, create a management/employee team that reviews organizational functions, evaluates impediments and develops

recommendations for integrating P2 into field activities.

4. In cooperation with the Quality Program, provide TQEM training to other field offices and work with Bureaus to develop training programs for permit, compliance assurance, legal and other departments.
5. In cooperation with the Bureaus and Regional Coordinators, conduct sector-based P2 workshops for each of the field offices.
6. Assist the Bureaus with compliance assurance activities, including targeted multi-media projects.
7. Work with Bureaus to develop output measures which help assess the effectiveness of P2 as a tool for meeting program objectives.

b. Voluntary Incentives

1. Replace the Partners in Pollution Prevention Program with a tiered recognition program that encourages companies to adopt comprehensive pollution prevention programs and strive to improve their performance.
2. Continue to participate in the Great Printers Project. Recruit state facilities and assist with development of P2 plans.
3. In cooperation with Bureaus, Office of Small Business and stakeholders groups, develop two or more small business recognition programs (sector and/or geographic based) that promote compliance and P2. Target dry cleaners and livestock facilities.
4. Provide technical assistance to the Office of Small Business in administering a P2 grant program for small businesses.

c. Technical Assistance

1. Continue to provide support to businesses and other organizations that request assistance in identifying P2 opportunities.
2. In cooperation with WMRC, continue to conduct P2 assessments for state agencies.
3. Make 20 graduate interns available to businesses, non-government organizations and others. Provide opportunity for Bureaus to recommend candidate facilities or waste streams.
4. Continue to sponsor an annual P2 conference that provides an opportunity for businesses and others to share information and learn about new programs and techniques.
5. In cooperation with WMRC, provide training and offer technical assistance to hospitals and other health care institutions on P2 opportunities, with a particular emphasis on mercury-containing medical devices and wastes.
6. Assist with a Bureau of Land initiative to conduct P2 assistance surveys for firms in two targeted small business sectors.
7. Conduct a P2 seminar for Certified Public Accountants and develop a follow-up outreach program.
8. In cooperation with the Bureau of Water and IL Cooperative Extension Service, identify strategies to promote integrated pest management (IPM) to crop producers.

9. Develop a P2 homepage for the Agency Internet site.
10. Expand and improve the quality of P2 information resources and outreach programs.

d. Partnerships

1. Through the Greater Chicago Pollution Prevention Project, work with stakeholder groups to provide technical assistance and conduct community outreach to small businesses, with a particular focus on industrial corridors and minority communities.
2. In cooperation with the Bureau of Air, Office of Small Business, North Business and Industrial Council (NORBIC), DCCA and WMRC, provide coordinated P2 and compliance assistance to printers and metal fabricators in the Northwest industrial corridor of Chicago.
3. In cooperation with Community Relations and Bureau of Air, work with one or two businesses to promote P2 and stakeholder involvement in the development of risk management plans under Section 112 (r) of the CAA.
4. Continue to encourage businesses, government and stakeholder groups to share information and work cooperatively on projects identifying model IPM practices.
5. Develop a partnership agreement with the U.S. Department of Defense and others to help promote P2 at military installations and surrounding communities in Illinois.

e. Beyond Compliance

1. Continue to participate in USEPA's Common Sense Initiative Metal Finishing and Auto Sectors.
2. Encourage companies participating in the Agency's Regulatory Innovations Program to include comprehensive P2 provisions in their environmental management systems.
3. In cooperation with Community Relations, provide P2 assistance to interested Illinois businesses or organizations seeking ISO 14000 certification.

4. **Program Resources** - The Agency plans to devote 17.5 work years in Fiscal Year 1998 to the Pollution Prevention program. Of this total, approximately 8 work years will be supported by Federal resources, and 9.5 work years will be supported by State resources. The distribution of work years is expected to be as follows:

	Federal Estimated Work Years	State Estimated Work Years
Pollution Prevention	8	9.5

5. **Federal Role** - Region 5 strongly supports Illinois EPA's efforts to instill the Pollution Prevention ethic in the media regulatory programs and to promote the use of pollution prevention within the business community and other entities. Region 5 will continue to

provide information on innovative programs, resources and funding opportunities for special projects. Region 5 will also continue to facilitate cooperation among stakeholders in the Greater Chicago Pollution Prevention Alliance. USEPA will work with the State to identify methods to track pollution prevention methods.

6. **Oversight Arrangements** - Illinois EPA will continue to report on its pollution prevention activities in the Agency's Annual Environmental Performance Self-Assessment report. It will also include the results of its analysis of the TRI and RCRA reporting as well as qualitative indicators of pollution prevention progress.

E. Environmental Education Program

1. **Program Description** - The Illinois EPA is strongly committed to proactively reaching out to the citizens of Illinois to raise awareness of the natural environment and environmental issues, to promote environmental stewardship, and to educate citizens about the role of the Illinois EPA. In the last year, excellent progress has been made in moving the Illinois EPA's environmental education program forward. With the input of numerous committed individuals, the Illinois EPA's first Environmental Education Strategy was finalized and approved by Senior Management in November 1996.

The Agency's environmental education efforts fall into five basic categories:

1. Student internships (e.g., Governor's Environmental Corps)
 2. Public events (e.g., State Fair or Earth Stewardship Day)
 3. School outreach programs (e.g., 5th/6th Grade Environmental Curriculum packets)
 4. Co-sponsored educational exhibits (e.g., Shedd Aquarium and Brookfield Zoo)
 5. Internet on-line educational programs.
2. **Program Linkage to Goals/Indicators** - The first project completed by the environmental education committee was the development of a tracking form for Illinois EPA environmental education events. This form will be completed by Illinois EPA staff for each environmental education event that they participate in. One of the key pieces of information to be collected with this form is the number of people (public) that participate in the Illinois EPA events. Other information on the form, such as the type of activity presented and the number of Illinois EPA staff involved, will assist the committee with assessing the current status of environmental education activities within the Illinois EPA. By tracking the number of people, the Illinois EPA will have better data about the utility of the environmental education strategy. It could be presumed that as more people are reached through the Illinois EPA's education programs, the proportion of environmental sensitivity and stewardship efforts increase in the community. However, the Illinois EPA

would like to collect more information about the actual impact of the various education efforts.

In FY97, the environmental education committee agreed that the core performance measure would be the percent of participants who indicate they are better informed after viewing an exhibit, listening to a presentation, or participating in a program (listed below). It was decided that the use of a pre-survey and post-survey at selected environmental education events would be the best measurement tool to determine whether the participants have an increased understanding of specific issues following an event. The environmental education committee agreed to focus pilot measurement efforts on the following events: Earth Stewardship Day, the Governor's Environmental Corps (GEC) Summer Internship Program, and one exhibit/activity at the 1997 Illinois EPA's State Fair tent. Three targeted audiences would be covered by these aforementioned events: children (Earth Stewardship Day), high school/college students (GEC Summer Internship Program), and general public (State Fair tent). As these measurement efforts are in an experimental stage, the Illinois EPA will continue to use as a placeholder the following :

Program Objective	Program Outcome
Environmental awareness, knowledge and skills are increased for more youth and citizens over the next five years.	Percent of participants who indicate they are better informed

3. Performance Strategies

a. The design for this Agency-wide education renovation is in the newly developed Environmental Education Strategy (Strategy). Environmental education programs will be divided into two focal areas: youth and citizen education. The Strategy was formally approved in November 1996. Under this new strategy, the Agency's current resources will be more efficiently utilized, and the number of Illinois citizens reached will increase. Education goals include:

- To develop separate citizen and youth-based environmental education programs to promote environmental stewardship in Illinois;
- To identify, prioritize and develop an educational program that complements other Illinois state agencies involved in environmental education; and
- To establish the Illinois EPA as the principal provider of education on current environmental issues and environmental protection.

Two key components to implementing the strategy were the designation of an environmental education coordinator, which occurred October 1, 1996, and the formation of a ten-member intra-agency environmental education committee. The committee membership includes representatives from the Bureaus of Air, Land and Water, the Offices of Community Relations and Public Information, the Division of Legal Counsel, and Administration. The environmental education committee meets

monthly to address education issues, plan new activities, investigate outside funding sources, share resources, and coordinate existing activities.

- b. "Envirofun," an interactive environmental education program, became accessible on the Illinois EPA's web site and the Governor's Environmental Home Page/Web site in early May 1997. Currently, all interactive information is targeted toward a third grade reading and comprehension level. The first "Envirofun" activity focuses on the planet's closed loop system. The program is called "Our Earthship" and features three animated characters representing air, land and water. These characters will be a consistent theme throughout future "Envirofun" activities. The "Envirofun" entries will be updated quarterly. A subcommittee of the education committee has been formed to develop topic areas and accompanying text. This subcommittee has developed a draft outline for the next three quarterly installments.
- c. The Illinois EPA will continue to refine suitable environmental indicator(s) and core performance measure(s) for this program. Different approaches will be tried out on a pilot basis in conjunction with educational events.

4. **Program Resources** - The Associate Director of the Illinois EPA currently dedicates a portion of his time to oversee the development of the Environmental Education Strategy. In addition to the Associate Director's time, an environmental education coordinator devotes a portion of her time to coordinating the new strategy, and a formal intra-agency environmental education committee meets monthly to address education issues, plan new activities, investigate outside funding sources, share resources, and coordinate existing activities.
5. **Federal Role for Education** - The Illinois EPA welcomes the continued active involvement of the USEPA, Region 5 in their educational efforts. The Illinois EPA and USEPA currently work together on educational conferences and share information on a variety of education topics.
6. **Oversight Arrangements** - There is no oversight anticipated.

MEDIA PROGRAMS

F. Clean Air Program

1. **Program Description** - The Bureau of Air is organized, functionally, around five priority program areas:
 - **Ozone** - Two major metropolitan areas in Illinois continue to be out of compliance with the 1-hour ozone standard. There has been significant program development in terms of regulations to reduce precursors, particularly since the Clean Air Act was amended in 1990, in our efforts to comply with this standard. With completion of the Ozone Transport Assessment Group project in FY97, in FY98 our attention turns to examining appropriate application of measures that will reduce regional transport of ozone and its precursors. At

the same time, in FY98 we must assess the impact across the state in terms of attainment and nonattainment with the newly promulgated 8-hour ozone standard. The ozone program includes all activities relative to ozone, from monitoring to rulemaking to participation in subregional assessments of ozone.

- Title V/Inspection/Compliance - This element of the Clean Air program includes significant permitting activities pursuant to the Clean Air Act as well as inspection and compliance components to ensure compliance to meet our objective. Also included here are pollution prevention and small business programs.
- Data Management - The Bureau has been collecting significant source-based information through inspections, the permit program, and actual operating information through the Annual Emission Reports. There is a need to manage and quality control this data to better utilize it in the development of future strategies and to provide a better measurement of the success of our ongoing strategies.
- Public Outreach and Education - Over the last 25 years, there has been significant progress made by industrial sources in reducing emissions from all pollutants. However, approximately 50% of the ozone pollution results from daily, non-industrial activities by the general public. With ozone as the priority pollutant for the state, as we still have ozone nonattainment areas, the principle focus of our public outreach and education efforts is to expand our strategies to impact the general public's daily activities in order to reduce the pollution they cause.
- Base Programs and National/Regional Priorities - Although the four program areas listed above are very focused priorities, the base programs must continue to function so as to maintain the progress we have achieved thus far both in the area of ozone reductions and with regard to other pollutants, such as sulfur dioxide (SO₂) and particulate matter (PM₁₀). Such base programs include air monitoring and state permitting, among others. At the same time, there are key national and regional initiatives that should be included in our priorities, such as development and implementation of Maximum Achievable Control Technology (MACT) standards, the mercury initiative, and development of a monitoring network to begin our assessment of fine particulate matter (PM_{2.5}) levels in the state as part of our response to the new standard for this pollutant.

2. Program Linkage to Environmental Goal/Objectives - Trends in air quality gauge the success of the air pollution control program. These trends are determined from a combination of air quality measurements and emission estimates. The planned program objectives and program activities of the air program contained in this agreement will contribute in a variety of ways to the improvements reflected in those trends. For example, the declining trend in air quality exceedances and the steadily improving air quality conditions measured through the Pollutant Standards Index provide an indication of the quality of the pollution control regulations and the effectiveness of the compliance assurance program. Emission trends illustrate the direct relationship between the control program and reductions of the targeted pollutants in the atmosphere. A summary of the Bureau's environmental goals, environmental objectives, and the measures that demonstrate progress towards to goals and objectives is as follows:

Environmental Goal

Illinois should be free of air pollutants at levels that cause significant risk of cancer or respiratory or other health problems. The air should be clearer (i.e., less smog), and the impact of airborne pollutants on the quality of water and on plant life should be reduced.

<i><u>Environmental Objectives</u></i>	<i><u>Environmental Indicators</u></i>
<u>General Air Quality:</u> 1. Maintenance of 98% “good” or “moderate” air quality conditions in the areas of the state outside the Lake Michigan and Metro-East ozone nonattainment areas (standards as of January 1, 1997). 2. Maintenance of 95% “good” or “moderate” air quality conditions in the two ozone nonattainment areas (standards as of January 1, 1997).	Trends in monitored levels of each criteria pollutant. Trends in monitored levels of each criteria pollutant.
3. Maintenance of attainment status for pollutants other than ozone.	Trends in exceedances of the national standards for any of the criteria pollutants other than ozone.
<u>Ozone:</u> 4. Attainment of the 1-hour ozone standard by 2007.	Trends in monitored levels of ozone in the ozone nonattainment areas (as of January 1, 1997) during the ozone season.
<i><u>Program Objectives</u></i>	<i><u>Program Outcomes</u></i>
<u>Ozone:</u> VOM emissions in the Chicago nonattainment area reduced by at least 217 tons per day by 1999.	VOM emissions in the ozone nonattainment areas, designated as of January 1, 1997, during the ozone season.
	NOx emissions outside the ozone nonattainment areas, designated as of January 1, 1997, during the ozone season.
	Percentage of Partners for Clean Air who take actions to reduce emissions of ozone precursors on Ozone Action Days.

<i><u>Program Objectives</u></i>	<i><u>Program Outcomes</u></i>
<u>Other Pollutants:</u>	Trends in hazardous air pollutants as reported through the Toxic Release Inventory and the Great Lakes Air Toxics Inventory RAPIDS database as appropriate.
	Pollutant Standard Index levels outside the ozone nonattainment areas, designated as of January 1, 1997. Pollutant Standard Index levels in the ozone nonattainment areas, designated as of January 1, 1997.
	Annual SO ₂ emissions from Acid Rain Program units.
<u>Air Monitoring:</u> At least 85% data conformance with federal guidelines	
<u>Compliance:</u>	Average number of days for significant violators to return to compliance or to enter into enforceable compliance plans or agreements.

3. Performance Strategies - Performance strategies include the daily activities performed by the Bureau of Air that ensure that our environmental goal and program objectives and outcomes are being met. The Bureau's performance strategies are described below as program activities. Attaining the ozone standard is a priority with the Bureau of Air, and the planning activities related to it have been identified as an area of program activities. The program activities performed in the other four priority areas described below also support the progress we have made towards attainment of the ozone standard as well as support for maintenance of the other criteria pollutants. For example, a source's permit includes conditions that limit the source's emissions of ozone precursors as well as other pollutants so that the source's emissions do not cause or contribute to exceedance of any pollutant standard.

- a. Ozone - Ozone is the only one of the six criteria pollutants for which the State of Illinois is not in attainment. Therefore, attaining the national standard is a priority with the Bureau, and it deserves attention separate from the other, more functional programs in the Bureau.
 - Submittal of Phase 1 SIP - The Bureau will complete promulgation of ERMS (VOM trading in the Chicago area) rule and hold a public hearing on Phase 1 SIP.

- Implementation of ERMS program - Implementation of the ERMS will be accomplished through the Permits and Compliance and Systems Monitoring Sections, described below in Title V/Inspection/Compliance and Data Management, respectively.
 - Initial development of Illinois' attainment strategy for the 1-hour standard - The Bureau will perform subregional modeling to determine the proper mix of NO_x controls outside the Lake Michigan and Metro-East nonattainment areas and additional VOC controls within the nonattainment areas. The Bureau will also begin development of rules and/or legislation necessary to implement the control measures needed to attain.
 - Evaluation of the impact of the 8-hour standard on Illinois and begin preliminary development of attainment strategies - The Bureau will evaluate which, if any, areas of the state may qualify for transitional classification. The Bureau will also evaluate monitoring data for purposes of indicating possible designation.
- b. Title V/Inspection/Compliance - The Clean Air Act Permit Program (CAAPP — Illinois' Title V program), inspections, and other compliance activities are the means, on an everyday basis, for ensuring that sources in the state are aware of their obligations and that they comply with them so that Illinois can meet its environmental and program objectives of attaining the ozone standard and maintaining attainment with other NAAQS.
- Permitting - The Bureau will continue negotiations with USEPA and will complete and implement the Title V Implementation Agreement. The Bureau and Region 5 ARD will jointly determine and address any required revisions to the Title V program and permitting issues. The Bureau will review and public notice 75% of the Title V permit applications from ERMS sources in the Chicago area, including review applications and draft permits, provide assistance to sources in establishing their ERMS baselines, and determine ERMS baselines by April 1998. The Bureau will issue 100% of the Phase II Title IV permits by December 31, 1997. The Bureau will issue Title V permits to 90% Title IV sources. The Bureau will issue construction permits with PSD and New Source Review evaluations as necessary.
 - Inspections - The Bureau will develop and implement the inspection the FY98 workplan.
 - Compliance - The Bureau will complete negotiations with USEPA on the Enforcement Response Plan and the Memorandum of Agreement, resulting in signed documents, and will implement the programs. The Bureau will develop a strategy to focus investigation resources on major sources and sources impacted by significant air programs, including identifying sources (see Data Management, below) and developing a plan in conjunction with the other IEPA Bureaus.
 - Pollution Prevention - The Bureau will continue its evaluation of pollution prevention opportunities through permitting, inspections, and compliance, including continuing training of BOA staff in the area of pollution prevention; evaluating Title V permits, particularly for sources subject to ERMS, for pollution prevention opportunities; incorporating sensitivity to pollution prevention opportunities in inspections; and providing sources inspected with information regarding pollution prevention opportunities. The Bureau will evaluate regulations in the developmental stage for pollution prevention opportunities and incorporate language enhancing such opportunities.

- Small Business - The Bureau will continue participation in the Agency's Clean Break program and continue its focus on compliance assistance to small businesses by participating in Agency seminars for small businesses, responding to queries from the public regarding eligibility for the program, and focusing on programs affected by MACT.
 - Regulatory Innovation - The Bureau will enter into an EMS agreement with 3M.
- c. Data Management - Data management is a program important to the Bureau's ability to efficiently handle the vast amounts of data generated by the Bureau through permitting, inspections, inventory development, air quality planning, monitoring, and so forth. It is an element of our program that supports our efforts to attain the ozone standard and to maintain attainment with the other NAAQS.
- Continued improvements to quality assurance of air emissions data, with focus on ERMS sources - With regard to ICEMAN, the Bureau will complete the stationary source inventory system and establish database for ERMS sources.
 - Identification of sources located within a designated distance of sensitive receptor areas in the State - The Bureau will review source inventories in conjunction with other Bureaus.
 - Transfer of Illinois MACT data to AIRS - The Bureau will enter Illinois MACT data into AIRS.
- d. Public Outreach and Education - Public outreach and education provides us with the opportunity to inform our citizens of both their contribution to the ozone problem and what the public can do to help us attain the standard. The Bureau will continue its efforts to increase public support in voluntarily reducing emissions from "everyday" activities by identifying voluntary actions taken by the Partners for Clean Air to reduce emissions and quantifying emissions reductions resulting from Partners for Clean Air actions.
- e. Base Programs and National/Regional Priorities - The base programs are those areas of the Air program that continue everyday to assure clean air in the state. This element of the Air program includes, for example, air monitoring and our work in the area of particulate matter. National/regional priorities are those specific areas of air pollution control that USEPA or Region 5 have identified as deserving of particular attention, such as the Great Lakes Toxics Program.
- PM10 - The Bureau will seek redesignation of PM10 nonattainment areas. Specific activities include holding another hearing on proposed redesignation for the McCook nonattainment area, continuing discussions with Region 5 regarding exemption for ceramic welding repairs, and continuing discussions with Region 5 regarding attainment status of Lake Calumet nonattainment area.
 - PM2.5 - The Bureau will develop a plan for the first phase of the monitoring network consistent with requirements of the new standard, including identifying locations for the first group of PM2.5 monitors and beginning placement of PM2.5 monitors contingent upon receipt of monitors or funding from USEPA. Then Bureau will begin PM2.5 data gathering through monitoring PM2.5 ambient levels and compiling the data.

- Air Monitoring - The Bureau will compile a complete and valid air quality database sufficient to meet Bureau program needs and USEPA requirements. The Bureau will operate air monitoring network pursuant to USEPA guidelines.
- State Permitting - The Bureau will issue construction and “lifetime” operating permits to state (non-Title V/non-FESOP) sources, providing proposed construction permits to Region 5 as appropriate.
- Air Toxics - The Bureau will continue participation in national MACT development, including participation in MACT Partnerships for rubber tires; ICCR; miscellaneous organic NESHAP; boat manufacturing; and paper, film and foil. The Bureau expects delegation of § 112(g) and will implement the program by June 29, 1998. To this end, the Bureau will request delegation, develop implementation plan, develop amendments to 35 Ill.Adm.Code 252, hold a hearing on the plan and regulatory amendments, and certify that we have met all of requirements for implementing § 112(g), as required by the Clean Air Act. The Bureau will continue its participation in the mercury initiative.
- National/Regional Priorities - The Bureau will develop regulations limiting emissions from medical waste incinerators and municipal waste landfills and submit its plans to USEPA.

4. Clean Air Program Resources

Federal Resources:	44 FTE
State Resources:	<u>334</u> FTE
TOTAL	378 FTE

5. **Federal Role** - Region 5 Air and Radiation Division (ARD) commits to support the Bureau of Air in all efforts necessary to achieve the agency’s mission of Clean Air. Administratively, ARD will continue to provide IEPA timely information regarding available resources and competitive grants throughout the year and will work with the State to expeditiously apply for and receive appropriate awards. ARD will work with IEPA to seek innovative ways to address broad regional priorities, including community based environmental protection, pollution prevention, and compliance assistance. Geographic initiatives are in place in the Greater Chicago and East St. Louis areas in Illinois, and efforts will continue to foster relationships with these local areas and address specific community concerns related to air pollution. In particular, ARD will be participating in the Chicago Cumulative Risk Initiative, the result of the TSCA Petition submitted to Headquarters regarding cumulative risk issues and incinerators. ARD will keep the State informed and promote appropriate State and local involvement.

Regional activities in the State's broad program components include the following that ARD will undertake:

- a. Ozone -

- Continue to provide technical assistance to the State in the development of regulations and resolution of potential deficiency areas prior to final adoption.
- Process SIP revisions in a timely manner.
- Coordinate outreach strategies for geographic initiatives with the State as appropriate.

b. Title V/Inspection/Compliance

- Permitting
 - Provide technical assistance as requested by the State for issues such as applicability determinations.
 - Review a broad range of draft permits and provide feedback at the staff level on permit content, organization, and structure during program start-up and on draft permits of concern where there is reason to believe that public scrutiny will be high.
 - Provide all information relative to changes in Title V regulations and guidance in a timely manner.
 - Provide general training opportunities as appropriate.
 - Provide the State with specific concerns with regard to Title V approval, including enforcement and compliance provisions.
- Small Business
 - Promote regional communication and information exchange through quarterly conference calls and an annual conference.
 - Address questions, complaints, and compliance efforts in the Stratospheric Ozone Protection programs throughout the State.
 - Work with the State to develop a mechanism to assess how well small business MACT outreach is furthering compliance goals.
 - Continue to host quarterly calls with state/local dry cleaner contacts.
 - Continue to provide ongoing technical assistance to state/local dry cleaner contacts. Region V will continue to provide a conduit for state/local dry cleaner contacts having issues to be addressed by USEPA headquarters, and will continue to assure access for these contacts to federal documents, information and other resources that become available.
- Compliance Assistance and Enforcement
 - Approve the Enforcement Response Plan.
 - Establish an agreement with IEPA which will articulate the complementary activities to be carried out in Illinois each fiscal year, including the following elements:
 1. Refinement of the programmatic descriptions;
 2. A commitment to direct individual resources to those air quality and program issues which are agreed to pose the greatest risk/concern;
 3. Flexibility to address the unique concerns, interests, and strengths of each agency.
 - Joint development of a complete and accurate source inventory.

- Joint development of a strategy to ensure that all regulated sources have appropriate means in place to provide assurance to both agencies that continuous compliance is being achieved.
 - Joint identification and implementation of compliance assurance components to ensure that the federal/state compliance and enforcement programs systematically prevent violations while expeditiously and effectively identifying those violations which do occur.
 - Verification of compliance entailing comprehensive methodologies to ensure that all violations will be identified utilizing an optimal mix of testing, inspections, and record review.
 - Articulation of State and Federal activity for the coming year.
 - Refinement and implementation of mechanisms for exchange of information in advance of actions (such as requests for information).
- Air Toxics
 - Delegate § 112(g) consistent with IEPA's plan.
 - Work with the State toward developing the Great Lakes Regional Air Toxics Emissions and RAPIDS database.

c. Public Outreach and Education

- Continue to support the Ozone Action Days and Partners for Clean Air programs through mailings of materials and other outreach activities.
- Pursue opportunities for public education and outreach using its Ozone Action Days asthma brochures, particularly focusing on our geographic initiative minority communities, finding ways to effectively provide this information to parents of children that may be especially vulnerable.
- Analyze the need for specialized outreach and education on the new particulate matter standards once they are proposed.
- Expand and enhance ARD's Homepage to provide both general and State-specific information on environmental problems and conditions in a manner that is readily understandable.

d. Base Programs and National/Regional Priorities

- Air Monitoring:
 - Conduct Quality Assurance (QA) system audits of the IEPA ambient air quality monitoring network and provide the service of QA performance audits when needed in coordination with IEPA.
 - Continue to provide assistance and technical support for the Photochemical Assessment Monitoring Stations (PAMS) in coordination with IEPA.

6. **Federal Oversight** - As part of the planned output for the air program, the IEPA will submit information to the USEPA's data system in addition to providing a variety of summary reports and analyses. The oversight arrangements listed here anticipate that USEPA will avail itself

of such information as part of its oversight program. The remainder of this section discusses special arrangements, including on-site inspections for specific parts of the air program.

- a. Ozone
 - Vehicle Inspection and Testing - On-site audits or inspections of routine program are not recommended in FY98.
- b. Title V/Inspections/Compliance
 - FESOPs - Federally enforceable permit programs (e.g., NSR, PSD, FESOP, Title V) will receive review sufficient to establish programmatic integrity. Draft permits will be made electronically accessible to USEPA with paper copies and supporting documents provided upon request. The oversight roles of the USEPA-Region 5 permitting and enforcement staffs need to be synchronized to be mutually agreeable.
- c. Base Programs and National/State Priorities
 - Air Monitoring - USEPA will review results of National Performance System Audit program and perform limited on-site audits or inspections on a case-by-case basis pursuant to joint agreement on the needs specific to the State program. For source emissions monitoring, USEPA will participate in witnessing selected stack tests in conjunction with the State.

G. Waste Management Program

1. **Program Description** - The waste management program addressed under this Environmental Performance Agreement (PPA) includes RCRA Subtitles C and D, the Underground Injection Control (U.C.) program, the Used Tire (UT) program, and the Noise Pollution Control (NCP) program. The primary federal component under this PPA is the RCRA Subtitle C program due to the large amount of funding and national accountability issues involved. The Subtitle D, U.C., UT, and NCP programs receive either no funding or minimal funding from USEPA. However, those programs have been included in this PPA as a means of presenting a more complete picture of Illinois' waste management program. Where possible, the Illinois EPA's Bureau of Land (BOL) conducts, and participates in, environmental education activities involving all programs. BOL believes strongly that environmental education and public outreach activities are an integral component of the performance partnership process. Examples of these activities include, but are not limited to, Earth Day, Illinois State Fair, Governor's Environmental Corps, and school presentations/educational outreach.
 - **RCRA Subtitle C** - The Illinois EPA's RCRA Subtitle C program, authorized by USEPA in January 1986, has striven to attain and maintain a high standard of quality and responsiveness to the public in Illinois over the last twelve years. The Illinois EPA has been very aggressive in obtaining authorization for all available program components/elements while maintaining an excellent quality RCRA program that has continuously adjusted to an increasing work load and decreasing funding resource. Illinois EPA's authorized RCRA Subtitle C program operates under a RCRA Memorandum of Agreement (MOA) between USEPA (Region 5) and Illinois EPA. This program is supported by both federal and State resources (75% federal/25% state funding).

Activities in the RCRA Subtitle C program include regulatory development, authorization, compliance assistance, compliance monitoring, enforcement, permitting/corrective action, record keeping/reporting, and geographic (including community) and industry-specific initiatives. Illinois EPA's program evaluations over the life of the authorized program have indicated a continuous effort to maintain a quality program and a sound cooperative working relationship with USEPA (Region 5).

During FY 98, Illinois EPA will strive to use the available funding resources in innovative ways in order to reach more of the regulated community in a cooperative manner. Previously performed program activities may be restructured in order to implement more appropriate and efficient program elements that should provide more meaningful environmental results and program performance measures.

- RCRA Subtitle D - Illinois EPA's RCRA Subtitle D program received equivalency approval from USEPA in December 1993. This program is fully supported by State funding. By demonstrating and maintaining equivalency to the federal requirements, Illinois' program provides maximum protection of human health and the environment and maximum flexibility in design requirements to allow for an efficient and effective environmental control of non-hazardous waste.
- Underground Injection Control (U.C.) - The national U.C. program operates under the Safe Drinking Water Act (SDWA). Illinois EPA's U.C. program, approved by USEPA in April 1995 after several years under USEPA primacy, has striven to attain and maintain a high standard of quality and responsiveness to the public in Illinois. Since obtaining primacy for the program, the Illinois EPA has been aggressive in addressing compliance and permitting concerns at Class I hazardous waste facilities. In addition, Illinois EPA has implemented a comprehensive Class V program through the hiring of a U.C. coordinator. This program is supported by both federal and State resources (75% federal/25% state funding). However, due to the limited federal resources available, Illinois EPA funds significantly more than 25% of all of the Class I and Class V UIC activities.
- Used Tire Program - During FY 98, the Bureau will continue efforts to locate waste tire generators that have not already registered with the Agency as required. Our objective is to have all waste tire generators properly managing and recycling their tires. The capacity for the use of waste tires in the supplemental fuels program is expected to grow by three million tires bringing total capacity to nearly 18 million tires per year. The number of tire cleanup projects is expected to decrease, however; the volume of tires removed should remain constant as the size of the sites remediated will increase. Future cleanup efforts will also focus on auto salvage facilities that often have cleanup needs beyond just tire removal. Growing recycling markets in the non-fuel area remains a priority.

Past success with the USEPA/IEPA Metro East Gateway Initiative indicate a need for further geographic tire cleanup initiatives. The Southeast Chicago/Cook County area deserve consideration as tire dump problems are common. Bringing about an acceptable

resolution of the closed tire-to-energy plant in Ford Heights remains a priority. The equivalent of eight million tires remain on the ground in Ford Heights due to the facilities recent closure. Developing and implementing a plan that systematically removes the shredded tire so that statewide recycling and disposal is not negatively impacted remains a challenge.

- Noise Pollution Control Program - This one person program is strongly oriented toward automated, low-cost, self-help for constituents with noise problems. Currently, 6142 people are being assisted by the noise "self-help" program. Self-help provides citizens with advice and communication tools to deal with and solve their noise complaint.

The program has been dealing with noise measurement, noise control engineering and the effects of noise on people and communities for over 25 years. This includes industrial, commercial, residential, urban, rural and construction noise. The Illinois Environmental Protection Agency has provided expert testimony in noise enforcement and regulatory hearings before the Illinois Pollution Control Board, and in several Illinois Circuit Court hearings related to noise zoning and nuisance. BOL's Noise program is supported solely by State funds.

2. Program Measures Linkage to Environmental Goals/Objectives

RCRA Subtitle C Linkages to Goals/Objectives

In November, 1996, the Environmental Council of States (ECOS), in conjunction with USEPA, developed a *Framework for Core Performance Measures* commonly referred to as the SMART Framework. SMART stands for Specific, Measurable, Achievable, Realistic, and Timely. The Illinois EPA/Bureau of Land has developed core performance measures under this framework for inclusion in this FY 98 Environmental Performance Agreement (PPA). The Illinois EPA, in conjunction with Region 5, has developed environmental goals (EG) and environmental objectives (EO) applicable to land quality in Illinois. These environmental goals and objectives represent environmental targets that are beyond the near-term (typically, more than 5 years). The EGs may have qualitative or quantitative characteristics whereas the EOs are quantitative indicators that are linked to the EGs. The programmatic "deliverables" identified under this PPA include the programmatic objectives and program activities. These "deliverables" are quantitative in nature and have medium-term and short-term characteristics respectively. They are identified as core program outcome measures (outcome-based) and core program output measures (activity-based). The core program output measures will be de-emphasized over time in favor of environmental indicators and outcome measures.

The primary goal in BOL's Waste Management Program is ***Safe Waste Management***. Specifically, the goal is that: *Waste is to be managed in an environmentally correct manner to protect human health and the environment*. The RCRA Subtitle C program is designed to ensure the safe management of solid and hazardous wastes through waste reduction and reduction of risk to human health and the environment through safe waste handling practices. Due to the preventative nature of the RCRA Subtitle C program, the development of true

environmental objectives and indicators is difficult. However, BOL has committed to working toward that end and to refining the few environmental objectives/indicators that do exist presently.

All items in the charts below are not identified with an environmental objective/indicator. However, three primary themes have been developed to indicate the primary basis for the programmatic objectives/outcomes. Again, the development of these items is ongoing and BOL, in concert with several national workgroups, is committed to the further development of these themes. The *State Generated Program Measures and Accountability Measures for Enforcement and Compliance Assurance Programs*, as agreed upon by ECOS and USEPA in the *Joint Statement on Measuring Progress Under the National Environmental Performance Partnership System*, have been incorporated into this FY 98 PPA. For the most part, these measures have been addressed in previous agreements.

The primary themes in the RCRA Subtitle C program are:

- 1) hazardous waste reduction (pollution prevention/waste minimization);
- 2) safe waste management (encourage recycling); and
- 3) clean-up of past impacts and environmental monitoring.

ENVIRONMENTAL GOAL - Safe Waste Management (Subtitle C) Hazardous Waste Reduction	
Program Objective	Program Outcome
1. Reduction in volume of hazardous wastes containing the most persistent, bioaccumulative and toxic (PBT) constituents over time.	1. Amount of PBT-containing hazardous waste generated annually.
2. Determine a method for calculating and reducing the presence of PBT-containing hazardous wastes.	2. Percentage of pollution prevention/waste minimization activities where reduction of PBT wastes is identified.

The Illinois EPA will focus on pollution prevention (P2) in all aspects of its RCRA program, as it has for the past several years. A decreasing trend in the disposal of hazardous waste generated in-state and out-of-state should be shown over the next five years. BOL will strive to develop a method for calculating the amount of hazardous wastes containing PBT constituents generated annually. However, matching PBT constituents to EPA waste codes is not necessarily straight-forward (nor is contaminant concentration information available in BRS). Therefore, the accuracy of this effort will be limited. By identifying the amount of hazardous wastes containing PBT constituents and the large generators of these constituents,

BOL can focus pollution prevention measures to reduce the amounts generated annually. Many of the PBTs identified are also considered known, probable, or suspected endocrine disruptors. This programmatic objective provides an opportunity for BOL to influence waste/risk reduction that covers two primary program issues.

ENVIRONMENTAL GOAL - Safe Waste Management (Subtitle C) Safe Waste Management (e.g. Encourage Recycling)	
Program Objective	Program Outcome
<ol style="list-style-type: none"> 1. Hazardous waste disposal in Illinois will continue to decrease over the next five years. 2. Conduct targeted pollution prevention/waste minimization activities. <p>Collect all Hazardous Waste Annual Reports for TSDFs.</p>	<ol style="list-style-type: none"> 1. Annual amounts of hazardous wastes that are properly disposed in Illinois. 2. Percentage of P2/WM activities where waste reduction/recycling opportunities are identified. <p>Percentage of Hazardous Waste Annual Reports collected from TSDFs</p>

ENVIRONMENTAL GOAL - Safe Waste Management (Subtitle C & D) Clean-up of Past Impacts and Environmental Monitoring	
Environmental Objectives	Environmental Indicators
<ol style="list-style-type: none"> 1. Groundwater at sites required to monitor shallow groundwater will be protected to meet the applicable groundwater quality standards. 2. Decreasing trend in significant releases to shallow groundwater at regulated non-LUST facilities over the next five years. 	<p>Contaminant concentrations in groundwater at regulated facilities.</p>

**ENVIRONMENTAL GOAL - Safe Waste Management
(Subtitle C & D)
Clean-up of Past Impacts and Environmental Monitoring**

Program Objectives	Program Outcomes
<ol style="list-style-type: none"> 1. Shallow groundwater monitoring programs at sites shall: 1) show groundwater meets the applicable groundwater standards; or 2) require sites to remediate, as appropriate, to meet the applicable groundwater standards. 2. Collection of 100% of groundwater monitoring data from all facilities required to report. 	<ol style="list-style-type: none"> 1. Percent of groundwater monitoring reports received quarterly. 2. Percent of regulated facilities that have one or more significant releases in a year.

The Illinois EPA is developing a "network" system designed to monitor shallow groundwater conditions as an indicator of long-term performance effectiveness. As resources allow, during the next several years, Illinois EPA will continue to collect, electronically input, and analyze groundwater monitoring data in an effort to develop this approach by building on pilot efforts showing groundwater conditions at specific regulated facilities which have implemented corrective action activities. BOL will strive to collect all groundwater monitoring reports in electronic format for direct download into the network system. This effort will be broadened as experience is gained. The goal is to eventually have a system that examines two things: 1) concentrations of contaminants in shallow groundwater that are not influenced by regulated units; and 2) effects on contaminant concentrations from corrective action activities at regulated units. In addition, the success of Illinois EPA's RCRA corrective action and closure programs should result in an increased number of remediated sites and acres of land where health risk is reduced and/or found to be insignificant.

**ENVIRONMENTAL GOAL - Safe Waste Management
(Subtitle D)**

Program Objectives	Program Outcomes
<p>1. Collect recycling surveys from all counties in Illinois.</p> <p>Collect solid waste disposal data from all facilities in Illinois required to report.</p> <p>Diversion of solid waste from disposal through the Household Hazardous Waste collection program, used tire recycling, and composting.</p> <p>2. Identify and track all out-of-state solid waste received in Illinois.</p> <p>3. Identify, investigate, and remediate (within a reasonable timeframe) all reported open dump sites. This will be accomplished by both BOL and its delegated counties.</p>	<p>1. Percent of counties submitting recycling surveys.</p> <p>Percentage of solid waste disposal facilities submitting annual disposal data.</p> <p>Annual amount of solid waste properly disposed in Illinois.</p> <p>Amount of solid waste diverted from solid waste disposal facilities through collection events, recycling, and alternative management methods.</p> <p>2. Amount of solid waste received from out-of-state..</p> <p>3. Percent of inspected universe remediated.</p> <p>Volume of solid waste diverted from open dump sites to appropriate Subtitle D disposal facilities.</p>

The Agency's RCRA Subtitle D program will strive to influence the objectives identified above through environmental education activities related to solid waste reduction, encouraging counties to develop and submit recycling surveys, and collecting annual disposal data from all Subtitle D facilities in Illinois. Inspections will be conducted at all solid waste disposal facilities annually. Through the program activities identified above, BOL anticipates that the following trends will occur/continue:

- 1) Decreasing trend in disposal of solid waste generated in-state and out-of-state over the next five years.
- 2) Amount of materials collected for recycling will increase over the next five years.
- 3) Reported open dumping incidents and volumes of wastes will increase over the next five years, then level off for several years before eventually starting to decrease.

ENVIRONMENTAL GOAL - Safe Waste Injection (UIC)	
Environmental Objective	Environmental Indicator
All injected contaminants are contained in the designated injection zone.	Contaminant concentrations in monitored groundwater aquifers at regulated facilities.
Program Objective	Program Outcome
1. Issue renewal permits to Class I facilities (as resources allow).	1. Percentage of Class I wells with renewal permits issued
2. Inspect (including Mechanical Integrity Tests - MIT) all Class I wells annually.	2. Compliance status of Class I wells
3. Collect groundwater monitoring reports from 100% of the facilities required to report.	3. Percent of groundwater monitoring reports submitted by those facilities subject to reporting requirements.

Effective compliance monitoring, enforcement, and permitting programs for Class I wells should reduce the potential risks of contamination to underground sources of drinking water and ensure that all injection of hazardous wastes will be conducted in compliance with regulatory and permit-specific contaminant level limits. The Illinois EPA's UIC program will encourage pollution prevention and waste minimization in relation to all classes of wells. In addition, the Agency's Class V program, both the outreach and investigation portions, should result in enhanced awareness of problems associated with targeted Class V wells, encourage voluntary compliance, stimulate public participation and increase inventory.

3. **Performance Strategies** - The following items represent the program activities that Illinois EPA will conduct in the waste management program during FY 98. These activities include RCRA core and non-core activities. In addition to the traditional program elements addressed in items a) through k), the Bureau of Land (BOL) has identified several strategic and innovative areas of work where we will focus some resources in order to gain significant environmental results. Those are represented in items l) through q) and may contain core and non-core activities. The Illinois EPA will report on all performance strategies, core program outcome measures, and core program output measures as part of the State's self-assessment and Performance Report for PPG.

RCRA Subtitle C Performance Strategies

- a. The Illinois EPA anticipates obtaining authorization for Authorization Revision Application (ARA) 7, including the Universal Waste Rule (UWR), in FY 98. Illinois EPA will also develop and execute an implementation strategy for the UWR in Illinois. This

will involve the development of notification forms, identification of recycling capacities for the wastes covered, and public outreach activities. The UWR is designed to encourage proper recycling of mercury-containing wastes (i.e. batteries, thermostats) by reducing the regulatory requirements for these wastes. BOL's implementation of the UWR should eliminate a significant portion of the mercury contaminated waste stream from land disposal in Illinois. More mercury wastes generated in Illinois should be sent for mercury recovery efforts instead of land disposal. In addition, Illinois EPA is developing a rulemaking petition to be presented to the Illinois Pollution Control Board (IPCB) for the addition of mercury-containing electric lamps (ie., fluorescent and HID lamps) to the UWR. This effort should further reduce the presence of mercury in Illinois' municipal solid waste and hazardous waste streams.

- b. The BOL will conduct a compliance monitoring program for appropriate treatment, storage, and disposal facilities in Illinois. Compliance Monitoring activities may include inspections, issuance of compliance/non-compliance notifications, and initiation of enforcement actions. Inspections will be conducted at inspectable TSDFs that are actively managing hazardous waste as mandated under Section 3007 of the Solid Waste Disposal Act. As of October 1, 1997, the number of inspectable TSDFs in Illinois is 100. The number of inspectable TSDFs that are due for inspection in FY 98 is 84. Throughout FY 98, this number will fluctuate due to changes in facility conditions. BOL agrees to inspect all facilities that remain inspectable at the time of scheduling of the inspection. BOL also agrees to maintaining, and providing to Region 5 upon request, written justifications for designating TSDFs non-inspectable.

These inspections may include Compliance Evaluation Inspections (CEIs), Compliance Schedule Evaluations (CSE), Comprehensive Groundwater Monitoring Evaluations (CME), Operation and Maintenance Inspections (O&M), Closure Verification Inspection (CVI), and Financial Record Reviews (FRR). The appropriate compliance/enforcement follow-up activities will be conducted in accordance with the Enforcement Response Policy (ERP). During CEIs, BOL will screen for compliance with Subpart CC requirements and refer instances of noncompliance to Region 5. In addition, BOL will provide inspection training for new Region 5 RCRA inspection staff by providing opportunities to observe BOL inspections.

BOL will also participate in multi-media CEIs conducted statewide. Each Agency regional office has selected sites to target with this effort. BOL anticipates that 5-10 multi-media inspections will be conducted in each region throughout the State. The Agency's regional coordinators are in the process of choosing appropriate sites for this effort. LQGs and TSDFs will be targeted.

•Accountability Measure	-	SNC rate within compliance monitoring program.
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•Accountability Measure	-	Average number of days for SNCs to return to compliance or to enter enforceable compliance plans or agreements.
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•Accountability Measure

- Percent of SNCs that have new or recurrent significant violations within two years of receiving a formal enforcement action.

•Accountability Measure

- Description of environmental benefits that are achieved due to resolution of enforcement cases that involve P2, SEPs, etc., when information is readily available.

- c. The Bureau of Land's (BOL) Field Operations Section (FOS) will continue a proactive compliance assistance program with small businesses, with emphasis on environmentally significant waste handling practices, pollution prevention, and waste minimization. This activity will primarily be educational in nature and concentrate on assistance, not enforcement. In some instances, a pollution prevention review may be the sole purpose of the visit. This outreach will focus on community-based (urban neighborhoods and counties) and significant industry sectors. The targeted community may contain generators of all sizes. However, emphasis will be placed on small businesses, most of which may be small quantity and conditionally-exempt small quantity generators. Non-notifiers in selected communities and industry sectors will also be subject to the outreach. This compliance assistance program, in conjunction with the Clean Break program that offers multimedia amnesty to small businesses, will enable the Illinois EPA to reach a large number of facilities that would probably never be inspected under the traditional compliance monitoring program.

The BOL has selected community-based targets for FY 98. Below are primary targeted communities from each of BOL's seven regions:

Rockford Region -	Rockford area, LaSalle and Whiteside counties
Maywood Region -	Fox River-Aurora to Elgin, Pembroke Twp - Kankakee County, South Cook County Suburbs, City of Chicago low-income, minority community areas, Town of Cicero, DesPlaines River-Wisconsin to Confluence w/ Kankakee River
Peoria Region -	Peoria, Tazewell, Rock Island and Knox Counties
Champaign Region -	Danville, Decatur, and Pontiac
Springfield Region -	Quincy, Havana, Beardstown, Jacksonville, Litchfield, Taylorville, and Springfield
Collinsville Region -	Alton, Salem, Centralia, Gateway Initiative Area
Marion Region -	Williamson, Jefferson, and Massac Counties

The industry sectors in each region that will be targeted are being discussed with the regional offices and the office of Pollution Prevention. USEPA targeted sectors will be given strong consideration.

BOL anticipates that approximately 750 compliance assistance/pollution prevention-related activities may be conducted in FY 98. This number is strictly a projection (not a commitment) that may be unilaterally modified by Illinois EPA as circumstances dictate. The Agency expects to expend significant resources in the identification of the regulated

universe of small businesses in the targeted sectors. In addition, the citizen complaint workload may influence the number of compliance assistance/pollution prevention related activities conducted by BOL.

The emphasis on community-based and industry sector universes should increase the compliance rates of the targeted universes. Percent compliance should increase from first visit to final follow-up. All compliance assistance activities will be reported into RCRIS for the calculation of compliance rates. In addition, Compliance Evaluation Inspections (CEIs) will be conducted at those facilities where compliance assistance would not be appropriate. If a potential SNC is identified during a compliance assistance visit, a CEI will be conducted. Historically, BOL/FOS has found that approximately 1% of intended compliance assistance activities result in the completion of a CEI. CEIs will also be conducted, when appropriate, during the investigation of citizen complaints.

The Agency's Office of Pollution Prevention (OPP) and an outside contractor conducted multi-media P2 training for Maywood regional office management and staff in May 1997. This training will be conducted for all other regional offices as well as Agency headquarters staff in FY 98. This training will better enable BOL/FOS staff to conduct the focused pollution prevention assessments planned for FY 98. Follow-up training for Maywood staff will be conducted this summer.

•Program Outcome Measure	- Success ratio for participants that receive compliance assistance.
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- d. The BOL Field Operations Section (FOS) will continue its participation in the Clean Break/Amnesty program that allows small businesses to obtain amnesty for violations discovered during assistance visits at facilities that enter the program. The assistance provided is multi-media in nature; therefore, each Bureau will normally be present during the visits. An evaluation of the success of the program will also be conducted as part of the Illinois EPA Clean Break Project Final Report. BOL will continue to participate in the Agency's Clean Break Amnesty program through calendar year 1997. In addition, follow-up compliance-related activities will be required well into calendar year 1998.
- e. BOL/FOS will continue its aggressive criminal enforcement program involving the pursuit of environmental crimes. In addition, BOL will continue its participation in the Illinois Environmental Crimes Investigators Network (IECIN) and the training of local law enforcement officials. This training focuses on the awareness and identification of environmental crime by local law enforcement officials. Follow-up training to the September 1996, February 1997, and March 1997 training will be conducted in FY 98. To date, training has been conducted for local law enforcement officials in the Chicago, Springfield, and Mt. Vernon areas and Cook County Sheriff Deputies and Cook County Forest Preserve Officers.
- f. The Illinois EPA's RCRA permit/closure program will focus on core program activities to meet established long-term goals. Core permitting activities during FY' 98 will be

impacted by reduced staffing levels, but should include issuing Part B permits, draft Part B permits, final post-closure permits, draft post-closure permits, and Part B and post-closure permit modifications. The core activity numbers should represent a steady increase in the total percentage of facilities permitted with the goal of all facilities permitted by 2005 (excluding renewals). All commercial facilities should have final permits issued by 2000. High-priority facilities will be emphasized.

By the year 2000, closure should be completed at 140 facilities in the present universe. By the year 2005, closure should be completed at all facilities currently in the closure universe and at all sites which had a closure plan approved prior to December 1, 2001. During FY 98 closure activities will be impacted by reduced staffing levels, but should include reviewing and approving closure plans, reviewing and approving closure plan modification requests, and reviewing and approving closure certifications. The total high-priority closure universe will be emphasized and demonstrated risk reduction should be higher for this category due to the level of contamination remediated.

The Illinois EPA will maintain its expanded public participation program as an integral component of the RCRA permitting/closure program. The expanded public participation program includes two new focuses: 1) training for companies on how to conduct public involvement, and 2) increased emphasis on resolving environmental problems related to the RCRA permit. Illinois EPA is conducting specialized workshops on public involvement to provide companies with both training and guidance to conduct public involvement activities that, consequently, should help reduce community concerns about the permit application.

•Program Outcome Measure

- Percentage of facilities in the commercial and high-priority universes with final permits issued.

•Program Outcome Measure

- Percentage of facilities in the closure and high-priority closure universes that have completed closure.

•Program Outcome Measure

- Percent of hazardous waste managed at TSD facilities with permits in place.

- g. The BOL's RCRA corrective action permitting program will focus on core program activities to meet established long-term goals. By the year 2000, corrective measures should be implemented at a minimum of 15 facilities. Numbers should steadily increase to 30 facilities by 2005. Core corrective action permitting activities for FY 98 may include RFA completions, RFI Phase I or Phase II report or workplan approvals, and corrective measures report or workplan approvals.

BOL will develop a baseline and a system to strive to meet the following programmatic measures. To reflect the need to focus on high priority facilities, by 2005, 95% of the RCRA permitted high priority facilities will have human exposures controlled. Also, by

2005, 70% of the RCRA permitted high priority facilities will have groundwater releases controlled.

•Program Outcome Measure - Percentage of facilities (total and those in the high priority universe) in the corrective action universe with corrective measures implemented (stabilization or final remedy construction completion).

- h. Illinois EPA has assumed primary responsibility for one facility in Illinois that has a 3008(h) order issued against them. During FY 98, BOL will pursue responsibility for two more 3008(h) facilities. Activities involved may include technical review of remediation plans, field oversight of remediation activities, compliance monitoring, and issuance of permit decisions.
- i. Region 5 and Illinois EPA will finalize the joint evaluation of the specific RCRA data needs in order to ensure that only appropriate and useful RCRIS data is maintained by Illinois EPA and USEPA. During this process, Illinois EPA has maintained the status quo in RCRIS data reporting and management. The results of the joint evaluation of RCRIS will be used as a guide in reviewing the RCRIS MOU and as input to the national WIN and INFORMED projects. The Illinois EPA will continue to monitor and participate in (as appropriate) the ASTSWMO INFORMED project designed to identify state-specific waste management data needs. In addition, Illinois EPA will assist in the coordination (as appropriate) of the INFORMED and the USEPA Waste Information Needs (WIN) initiatives.

The Illinois EPA's RCRA program will also examine RCRIS data in the Permit Module in order to accomplish data clean-up and consistent universe identification (i.e., high-priority universe, corrective action universe, and treatment, storage, and disposal universes).

- j. With assistance from Region 5, and as resources allow, a groundwater data base will be established for RCRA units conducting groundwater monitoring as a condition of their Part B permit requirements. In conjunction with the Geographical Information System (GIS), a data system will be maintained to evaluate overall program success of prevention and mitigation of groundwater contamination and improvement in groundwater quality at RCRA-permitted (Part B) facilities.
- k. The BOL has integrated pollution prevention/waste minimization awareness into all of our RCRA program elements. We will continue this effort in the RCRA program and on a multi-media basis (through the Office of Pollution Prevention). The BOL hopes that by examining and interpreting annual report data, we can demonstrate the effectiveness and trend of P2/WM in Illinois.

•Program Outcome Measure - Percentage of facilities reporting waste minimization activities.

- l. The Illinois EPA will conduct compliance monitoring/assistance, enforcement, and permitting activities in geographic and environmental justice areas of concern as part of the Great Lakes, Gateway, and Upper Mississippi Initiatives.

As part of the Great Lakes Initiative (GLI), the Illinois EPA has made substantial progress toward entering facilities into the GIS system. We will continue development of a comprehensive Geographical Information System (GIS) database of regulated facilities by delivering a prototype to the end user for testing of system and data compatibility on the user's PC. Updating and integrating Illinois EPA data into a GIS will allow more efficient and expanded analyses (via ArcView) of RCRIS and demographic data in making permit and closure decisions. We will move into the "use" phase of this data system as an on-line tool for reviewers in evaluating facilities. A GIS will also provide a more complete environmental inventory for identifying areas that collectively have the potential for disproportionately greater environmental impacts.

The Illinois EPA will conduct compliance monitoring activities in the Great Lakes, Gateway, and Upper Mississippi initiative areas at inspectable TSDFs that are actively managing hazardous waste as mandated under the Solid Waste Disposal Act. Compliance assistance activities will be conducted under the statewide RCRA compliance assistance program and the Clean Break/Amnesty program. In addition, BOL/FOS will place emphasis on criminal investigations in the Great Lakes Basin as they arise.

- m. The Illinois EPA will conduct activities under the Combustion Initiative. This may involve permit modification, field inspections (including trial burns), enforcement activities, and pollution prevention measures. BOL anticipates that approval of the trial burn results and review of the RCRA permit renewal application will occur at the commercial hazardous waste incinerator in FY 98. In addition, enforcement negotiations are ongoing with the facility to address additional non-compliance with applicable regulations and conditions established in the previous enforcement action. BOL also anticipates that a contract will be awarded in FY 98 for oversight of the trial burn procedures. BOL's pollution prevention/waste minimization activities will be conducted under this initiative as well.
- n. The Illinois EPA will work with companies that apply for participation in the XL program and the Environmental Leadership Program (ELP). Illinois EPA will review and evaluate XL and ELP applications for completeness and accuracy and conduct the necessary on-site evaluations to determine the company's appropriateness for the programs.
- o. The BOL will promote recycling and reuse by advising the regulated community of the regulatory requirements or exemptions associated with their proposed method of recycling/reuse. The BOL strives to interpret requirements to encourage waste management practices to move up the waste hierarchy.

- p. BOL's Household Hazardous Waste (HHW) collection program will continue to collect potentially hazardous wastes through collection events and permanent collection points. This program has resulted in a significant diversion of hazardous wastes from the MSW stream to more appropriate hazardous waste facilities.

•Program Outcome Measure - Quantity of potentially hazardous waste diverted from MSW stream.

- q. Illinois EPA will continue to identify, through the Enforcement Decision Group (EDG), appropriate RCRA Subtitle C cases to refer to Region 5 for enforcement follow-up.

RCRA Subtitle D Performance Strategies

- a. BOL/FOS will continue its program of inspecting Subtitle D and pre-Subtitle D landfills through its own and delegated agency inspectors. Facilities disposing solid waste and nonhazardous special wastes illegally will be cleaned up through long established monitoring, compliance, and enforcement activities. These illegally disposed wastes will be directed toward Subtitle D facilities and legitimate recyclers.

•Program Outcome Measure - Change in percent of total solid waste (disposed in Illinois) managed by method.

•Program Outcome Measure - Percent of municipal solid waste (MSW) disposed annually in landfills meeting 40 CFR Part 258 standards.

- b. Illinois EPA has pursued several refinements to the regulatory provisions for non-hazardous special wastes. The Agency will implement the new legislation for the regulated community to eliminate the regulatory provisions for non-liquid, non-hazardous special wastes.
- c. The BOL will promote recycling and reuse by advising the regulated community of the regulatory requirements or exemptions associated with their proposed method of recycling/reuse. The BOL strives to interpret requirements to encourage waste management practices to move up the waste hierarchy.

UIC Performance Strategies

- a. The BOL will continue to focus available resources on the Class I hazardous UIC wells for core compliance monitoring and permitting activities. This should ensure that all Class I UIC wells are actively permitted and in compliance with applicable rules and regulations. All expired Class I hazardous injection well permits should be renewed by 2000. This should ensure the proper disposal of injected fluids. In addition, the BOL has and will continue to respond timely to Class I permit modification requests.

•Accountability Measure - Compliance rates and Significant Non-Complier (SNC) rates of Class I wells.

- b. The Illinois EPA will focus on pollution prevention and waste minimization in the UIC program. This may be accomplished through outreach efforts, field activities, permitting and enforcement actions (e.g., SEPs).
- c. The Illinois EPA will strive to maintain an accurate inventory of Class V wells. In addition, these wells will be prioritized to the extent possible in order to ensure that the wells with the highest potential risk are addressed. The BOL will strive to eliminate or regulate potentially harmful Class V wells. In addition, our priority will be to enhance awareness of problems associated with targeted Class V wells, encourage voluntary compliance, stimulate public participation, and increase inventory. Upon request, Illinois EPA will provide Region 5 with information from the Agency's Class V inventory. In addition, BOL will provide a narrative of other actions taken to identify Class V wells and to address potential endangerment from Class V wells.
- d. As resources allow, Illinois EPA will support Region 5's Illinois River Basin Project. BOL believes that this geographic area is an appropriate area to focus resources in the UIC program. If additional funding for the UIC program becomes available for Region 5 states, Illinois EPA would investigate the potential for expanding our support of this project.
- e. The Illinois EPA/Bureau of Land will coordinate the efforts, including the identification of Class V wells with the Agency's Division of Public Water Supplies (DPWS). This will include sharing of information from BOL's Class V inventory.

Used Tire Program Performance Strategies

- a. Illinois EPA has amended laws and regulations to lessen the regulatory burden on the tire industry. By steadily increasing markets for used tires, the economics for the proper management and recycling of the 12 million used tires generated in Illinois each year is improving.
- b. Inspections of regulated facilities will continue. Our objective is to verify that tire generators are working with licensed transporters who in turn are delivering tires to

approved processors and end users of tires. Verifying that the one dollar user fee is being collected and remitted remains a priority.

- c. Identification of tire dumps and the scheduling of their cleanup so as to not significantly impact our recycle capacity is a major focus of the program. We do not want to consume more than our share of the recycle capacity lest we effect both the capacity and economics for the day-to-day used tire generators.
- d. Over 2000 non-notifiers have been identified from Illinois Department of Revenue records. These facilities have been targeted for inspections and mailouts to secure “notifications” and proper management of their waste tires.

4. **Program Resources** - Resources for the Illinois EPA’s Waste Management Program are identified in the table below. The amount of work years supported by both federal and state funding are identified by program. The resource levels are projections as funding levels may change prior to the beginning of FY 98.

PROGRAM	Federal Work Years	State Work Years	Total Work Years
Hazardous Waste Program	58.5	38.5	97.0
Solid Waste Program*	0.0	96.0	96.0
TOTALS:	58.5	134.5	193.0

* The solid waste management assistance grant provided by USEPA to the Illinois EPA’s used tire program will be used for contractual purposes in the Gateway area only.

The Illinois EPA/BOL’s RCRA Subtitle C program has been operating on a stagnant resource level for the past several years. Due to cost increases, this has effectively resulted in a reduced amount of resources for the hazardous waste program. BOL has absorbed this decrease through increased efficiency and shifts in program activities. However, the gains achieved by Illinois EPA have been maximized and BOL has reduced some traditional work projections in order to focus on more innovative issues such as compliance assistance, P2, groundwater network, and Clean Break.

5. **Federal Role for RCRA**

RCRA Subtitle C Federal Role

- a. The Region will assist Illinois EPA with an expedited review and approval of ARA 7. ARA 7 Contains the Universal Waste Rule (UWR) which the Illinois EPA wants to implement as soon as possible. In addition, the Region will also work with Illinois EPA and the other Region 5 states to explore ways to expedite and improve the authorization process.

USEPA will address the issues relating to Illinois legislation that has delayed the RCRA authorization process. The primary issues are the Audit Privilege Law and Section 31 of the Illinois Environmental Protection Act.

- b. The Region will assist Illinois EPA in identifying the various RCRA facility universes. These universes include: high-priority under the National Corrective Action Prioritization System (NCAPS) and/or overall, corrective action, land disposal, and treatment/storage. In addition, the Region will work with Illinois EPA in re-evaluating select facilities as requested by either party.
- c. The Region will work with Illinois EPA to develop a plan for imposing corrective action at the remaining unaddressed high priority sites.
- d. The Region will work with Illinois EPA to develop an agreement for addressing the renewal of the corrective action portion of expired RCRA permits. The corrective action portion of all RCRA permits issued prior to 1990 were addressed by Region 5. However, the future workload will be shared by Region 5 and Illinois EPA under the agreement.
- e. Region 5 will conduct compliance assistance at regulated communities subject to new federal regulations, small business in the priority industrial sectors (dry cleaners) and small business in which there is a compliance problem. These compliance assistance activities will be coordinated with Illinois EPA and the Illinois EPA will be given the opportunity to participate in the activities. The compliance assistance activities conducted by the Region will include:
 - Compliance assistance to the regulated communities on newly published federal rules by conducting seminars and distributing modifications of newly published federal rules to the regulated communities via mailings or the Internet;
 - Incentives for self-policing at medium-sized businesses in the iron and steel industry (mini-mills); and
 - Compliance assistance visits at dry cleaners (small businesses) in the Greater Chicago area and provide copies of the *Policy on Compliance Incentives for Small Business* (issued on May 20, 1996) and the *Plain Korean and English Guide for Perc Dry Cleaners* during the compliance assistance visits.
- f. Region 5 will work with Illinois EPA to ensure that all inspectable TSDFs are inspected with the statutorily-mandated frequency.
- g. Region 5 will provide RCRIS support as needed by Illinois EPA. In addition, Region 5 will continue to maintain the Handler Identification and Corrective Action modules of RCRIS.
- h. Region 5 will provide technical assistance and training (as needed) for the review of RCRA requirements.

- i. Region 5 (WPTD) will work with the Superfund Division to ensure the completion and submittal (by March 1, 1998) of all past due 1995 and 1996 Hazardous Waste Annual Reports and Nonhazardous Waste Shipped Out-of-State Annual Reports and 1997 Hazardous Waste Annual Reports and 1997 Nonhazardous Waste Shipped Out-of-State Annual Reports for all removal actions where USEPA has the lead.
- j. Region 5, in consultation with Illinois EPA, will conduct inspections at large quantity generators (LQGs) within Illinois that reflect national and regional priorities. Enforcement actions will be initiated for violations in accordance with the RCRA Hazardous Waste Enforcement Response Policy (1996 ERP).
- k. Region 5 will work with Illinois EPA to inspect 100% of facilities blending hazardous waste to be used as fuels, or burning hazardous waste.
- l. Region 5 will lead the evaluation of Subpart CC requirements at complaint investigations, LQGs, and TSDFs during joint inspections with Illinois EPA.
- m. Region 5 will continue to dedicate resources to implement its mini-mill initiative including inspection, complaint development, consent agreement development and negotiation, and prosecution of any cases. Compliance incentives will be used where self-disclosure of violations have occurred.
- n. Region 5 will work with Illinois EPA in coordinating enforcement efforts developed through the Enforcement Subcommittee of Greater Chicago.
- o. Region 5 will conduct inspections at state and local TSDFs and coordinate any enforcement efforts with Illinois EPA.
- p. Region 5 will work with Illinois EPA to inspect all federal TSDFs and coordinate any enforcement efforts with Illinois EPA.
- q. Region 5 will coordinate with Illinois EPA the identification of persistent, bioaccumulative, and toxic (PBT) constituents for activities identified under the first chart in Section G.2. of this agreement.

RCRA Subtitle D Federal Role

- a. Region 5 will provide training to Illinois EPA/BOL personnel on the assessment of corrective measures, selection of remedy and implementation of the corrective action program in accordance with Subpart E of Part 258.

UIC Federal Role

- a. Region 5 will provide technical assistance to the State in dealing with Class I issues and facilitate an exchange of Class I data and overall concerns through national, intrastate,

and Regional forums. The same type of assistance will be provided for the Class V program.

- b. Region 5 will provide technical assistance as needed in the renewal of permits of Class I UIC wells.
- c. Region 5 will assist the State in developing a Class V program that will meet the specific needs of the various communities within Illinois. Such assistance includes but is not limited to developing outreach materials, closure guidelines, guidance for conducting site assessments, and outreach and planning strategies. Class V guidance is currently being developed nationally and will require much coordination on the part of States and the Region for consistency and cooperation on pertinent issues concerning the Region and each individual State agency.
- d. Region 5 will facilitate networking and mentoring with other DI and Primacy Class V agencies. USEPA will assist the Illinois EPA in the follow-up of wells identified through Peoria/Tazewell project.
- e. The Region 5 UIC Branch will work toward identifying Class 5 Agricultural Drainage Wells within the Illinois River basin for purposes of monitoring and reporting benefits to the environment through the reduction of targeted chemical and biological constituents associated with the utilization of pesticides and fertilizers on agricultural lands. The sampling of agricultural drainage wells, in order to establish a baseline and set goals relating to thresholds for specific contaminants of concern, will provide UIC with a method of developing environmental indicators, the establishment of target goals for reducing these contaminants, the monitoring of the processes utilized to achieve stated goals, and finally, the measurement of improvements to water quality through the achievement of these goals.

The Indicators project is expected to be implemented over one to two years, with several sampling regimes planned for purposes of establishing a baseline and targeting specific contaminants for goals of reduction. These goals, which will serve as environmental indicators, and the final results, being measurable benefits to the environment, will be presented in a report which will be finalized at the close of the project period.

6. Oversight Arrangement

RCRA Subtitle C Partnership Arrangement

This PPA was developed under the National Environmental Performance Partnership System (NEPPS) guidance dated May 17, 1995. The oversight arrangements and the Illinois EPA/Region 5 relationship will follow the provisions under the NEPPS. Considering the Agency's past performance and the cooperative working relationship with Region 5, the

Agency will assume a more independent self-management role in RCRA implementation and look to Region 5 for support and assistance in more specialized areas.

Illinois EPA will conduct its own file audits and program self-assessments/self-evaluations in order to demonstrate the program's successes and areas of concern. Region 5 and Illinois EPA will:

- meet once a year at end-of-year (on or about December 10, 1998) to discuss the *State's Performance Report for PPG*;
- conduct an annual mid-year program conference call (on or about July 10, 1998) to discuss the *State's Self-Assessment*;
- conduct quarterly program component conference calls (i.e., permit/corrective action, enforcement, and RCRIS);
- conduct joint inspections (targeting primarily facilities that have waste management units that operate under rules/regulations for which Illinois EPA has not yet been authorized); and
- in place of the traditional file audits, Illinois EPA will investigate and respond to inquiries from Region 5 concerning facilities that do not appear to have been timely and/or appropriately addressed under Illinois' enforcement program.

The Illinois EPA/Bureau of Land has reviewed the *Inventory of Reporting Requirements for States Receiving Federal Program Assistance* dated April 15, 1997. In conformance with the provisions of the NEPPS, BOL agrees to provide Region 5 with the following reports:

- Continuous direct reporting of all core RCRIS data; and
- Annual Financial Status Report (FSR) at end-of-year; and
- Commercial facility inspection notices; and
- Copies of all draft and final permits issued; and
- Mid-year program self-assessment to be submitted no later than June 30, 1998; and
- End-of-year program self-evaluation to be submitted no later than November 30, 1998.

This document will be memorialized by a joint statement signed by the Manager of Region 5's Waste, Pesticides, and Toxics Division and the Chief of Illinois EPA's Bureau of Land.

The quarterly conference calls, annual meetings, and program self-assessments/self-evaluations will allow Illinois EPA and Region 5 to identify areas of success and concern in the RCRA program and exchange policy and guidance information. The Illinois EPA feels strongly that the provisions identified above will provide for an efficient and effective program implementation in Illinois.

UIC Partnership Arrangement

The Illinois EPA/Region 5 partnership arrangement for the UIC program will follow the NEPPS guidance dated May 17, 1995. The Illinois EPA will conduct its own file audits and program self assessments/self-evaluations in order to demonstrate the program's successes and areas of concern. Illinois EPA will investigate and respond to inquiries from Region 5

concerning facilities that do not appear to have been timely and/or appropriately addressed under Illinois' enforcement program and facilities or potential areas for work sharing and mutual assistance.

In conformance with the provisions of the NEPPS, BOL agrees to provide Region 5 with the following reports:

- Semi-annual electronic reports (e-mail) containing the information necessary for Region 5 to complete the 7520 forms for national reporting;
- Quarterly electronic reports (e-mail) containing inspection, compliance, and enforcement information for all Class I wells. This information will include inspection date, compliance status, violations cited, and enforcement actions taken (informal and formal). In addition, BOL will provide Region 5 with information on compliance assistance activities (including enforcement actions) at Class V facilities.
- Conduct joint inspections; targeting primarily Class I facilities and environmentally-significant Class V facilities (i.e., cess pools industrial wells, and service stations).
- Annual Financial Status Report (FSR) at end-of-year;
- Mid-year program self-assessment (*State's Self-Assessment*) to be submitted no later than June 30, 1998; and conduct an annual mid-year program conference call (on or about July 10, 1998) to discuss the *State's Self-Assessment*; and
- End-of-year program self-evaluation (*Report State's Performance for PPG*) to be submitted no later than November 30, 1998; and meet once a year at end-of-year (on or about December 10, 1998) to discuss the *State's Performance Report for PPG*.

H. Remediation Programs

1. **Program Description** - The Remediation Programs efforts are implemented through two major programs: (a) Superfund/Brownfields Program; and (b) Leaking Underground Storage Tank ("LUST") Program.
 - **Superfund/Brownfields Program** - The Illinois EPA site remediation program covers a state cleanup program, addressing sites of non-federal interest, and a federal cleanup program, addressing site assessment activities, NPL sites, and federally owned and operated sites. The state portion of the program is further divided into the voluntary Site Remediation Program and the non-voluntary state response action program. The Site Remediation Program is a key adjunct to our Brownfields efforts. Illinois EPA has operated a successful voluntary cleanup program for years. In March, 1995, Illinois EPA and USEPA Region 5 amended the Superfund MOA to include an addendum providing that sites which have received Illinois cleanup approval under the voluntary cleanup program are sites where no federal activity is anticipated. This Brownfields agreement was the first of its kind in the nation. The state response action program operates in much the same fashion as the federal Superfund program except that the state operates with much less money and focuses on contaminated sites which will not qualify for CERCLA dollars. USEPA is responsible for the federal Removal and Remediation Superfund Program, which at this time, is unable to be delegated or authorized to the states. We use

various documents, such as SMOAs, Reduced Role agreements, and Guiding Principles, to further clarify and delineate the roles of the state and USEPA Region 5 in implementation of this program. In the past, the Superfund program was supported by a series of site-specific cooperative assistance grants and a Core Grant which serves as the only “program grant” for the Superfund program. The system was very cumbersome administratively and the Core Grant is too constrained in its state support uses as well as having limited funds. Illinois EPA and USEPA Region 5 have agreed on a block grant proposal which consolidated thirteen sites formerly covered under six separate cooperative agreements, sites assessment cooperative agreement, and core grant into one funding vehicle and gives Illinois EPA the flexibility to move funds from project to project based on need without prior USEPA approval. This block grant has substantially reduced in administrative costs and enhancing Illinois EPA’s role in the Superfund program.

The conventional cleanup of federal Superfund sites, or National Priority List (“NPL”) sites, starts with various types of site inspections and development of Hazardous Ranking System (“HRS”) scores. On the basis of these inspections, it is ultimately determined which sites are remediated through CERCLA.

After sites have been selected for inclusion on the NPL, they are subject to a remedial investigation and feasibility study (“RI/FS”) prior to the final remedy being designed and action taken (“RD/RA”). The Illinois EPA is responsible for these activities as well as negotiation of enforceable agreements and oversight of responsible party-funded projects for state lead Superfund projects.

- **LUST Program** -In 1987, the Illinois General Assembly enacted a law developing a state program to meet the objectives of the proposed federal underground storage tank program. Currently, Illinois has rules and regulations in effect that are consistent with the federal LUST rules and regulations. Illinois has entered into a cooperative agreement with USEPA in which the Illinois Environmental Protection Agency (IEPA) and the Office of the State Fire Marshal (OSFM) administer a comprehensive underground storage tank program at the state level. Under a Memorandum of Agreement, OSFM administers the preventative side of the program, and IEPA administers the remedial investigation/corrective action portion of the state program, as well as administration of the state UST Fund. The Illinois LUST Program is funded by both a federal grant and state UST Fund dollars.

LUST staff review the technical adequacy of site classification plans and reports, groundwater monitoring plans and reports, corrective action plans and reports, and associated budgets. This includes the development of the appropriate remediation objectives for each site. Once the site has met the appropriate remediation objectives, the IEPA issues a “No Further Remediation” letter for the release. LUST staff also perform site inspections as needed. In addition, using State funding IEPA staff review and process claims for reimbursement from the UST Fund for corrective action costs.

2. **Program Measures Linkage to Environmental Goals/Objectives**

In November, 1996, the Environmental Council of States (“ECOS”), in conjunction with USEPA, developed a *Framework for Core Performance Measures* commonly referred to as the “SMART” Framework. SMART stands for Specific, Measurable, Achievable, Realistic, and Timely. The Illinois EPA/Bureau of Land has developed core performance measures under this framework for inclusion in this FY 98 Environmental Performance Agreement (“PPA”). The Illinois EPA, in conjunction with USEPA Region 5, has developed environmental goals (“EG”) and environmental objectives (“EO”) applicable to land quality in Illinois. These EG and EO represent environmental targets that are beyond the near-term (typically, more than 5 years). The EG may have qualitative or quantitative characteristics whereas the EO are more quantitative indicators that are linked to the EG.

There is also a Core environmental indicator (“EI”) presented which reflects or measures progress towards meeting the EO. The EI is represented by acres of land where health risk is reduced or controlled. When all potential media (i.e., soil, groundwater, and air) and exposure routes have been addressed in accordance with the Tiered Approach to Corrective Action Objectives (“TACO”), a site is considered successfully remediated by the Illinois EPA. The site can then be used for some specific intended purpose and those acres will be considered as the EI.

The programmatic “deliverables” identified under this PPA include the programmatic objectives and program activities. These “deliverables” are quantitative in nature and have medium-term and short-term characteristics, respectively. They are identified as core program outcome measures (outcome-based) and core program output measures (activity-based). The core program output measures will be de-emphasized over time in favor of environmental indicators and outcome measures.

ENVIRONMENTAL GOAL Remediation of Contaminated Sites Reduce or control risk to human health and the environment from Superfund, Brownfield, and Site Remediation Program (“SRP”) sites	
Environmental Objective	Environmental Indicator
On an average annual basis, the acres of land where health risk is reduced or controlled is increasing	Acres of land where health risk is reduced or controlled
Program Objectives	Program Outcomes
(a) On an annual average basis, the median number of days required from the acceptance into voluntary SRP to issuance of NFR or 4(y) letter is decreasing	(a)Median number of days required from the acceptance into voluntary SRP to issuance of a NFR or 4(y) letter
(b) On an annual average basis, the percent of NPL sites or NPL-caliber sites where removal action has been initiated is increasing	(b)Percent of NPL sites or NPL-caliber sites where removal action has been initiated
(c) On an annual average basis, the percent of NPL sites where remedial action has been initiated is increasing	(c)Percent of NPL sites where remedial action has been initiated

ENVIRONMENTAL GOAL Remediation of Contaminated Sites Reduce or control risk to human health and the environment from Leaking Underground Storage Tank (LUST) sites	
Environmental Objective	Environmental Indicator
On an annual average basis, the acres of land where health risk is reduced or controlled is increasing	Acres of land where health risk is reduced or controlled
Program Objectives	Program Outcomes
(a) On an annual average basis, the number of sites where health risk is reduced or controlled is increasing	(a)Number of sites where health risk is reduced or controlled
(b) On an annual average basis, the cost of LUST cleanups (based on payments from the UST Fund) is decreasing	(b)Average cost of LUST cleanups (based on payments from the UST Fund)

3. **Performance Strategies**

Superfund/Brownfields Performance Strategies - This section outlines a series of performance strategies which Illinois EPA will address as lead agency, or jointly with USEPA Region 5, relative to Superfund/Brownfield sites. Core Program Output Measures for the Superfund/Brownfields performance strategies are listed in the attachments.

a. **Incentives for Private Parties to Undertake Remedial Actions** - Since 1990, the number of new remediation applicants enrolled into the Illinois voluntary cleanup program has increased steadily. With the adoption of the new voluntary Site Remediation Program (35 Ill. Adm. Code 740) and Tier Approach to Corrective Action Objectives (“TACO”; 35 Ill. Adm. Code 742) regulations, the Illinois EPA estimates approximately 240 new remediation applicants for the 1997 calendar year (a 33% increase over the 1996 calendar year) using figures collected during the past six months. For fiscal year 98, the Site Remediation Program anticipates that new initiatives, that were not taken into account to generate the above enrollment projection, will also contribute to new SRP sites:

- The Drycleaner Environmental Response Trust Fund, recently established by the Illinois General Assembly, supports remediation of drycleaning solvent releases at drycleaning facilities through a reimbursement program for remediation of existing releases and an insurance program for prospective releases. The voluntary Site Remediation Program will be the vehicle for reviewing and approving activities for reimbursement from the Drycleaner Environmental Response Trust Fund. The reimbursement program is managed by a private organization.
- On June 27, 1997, the City of Chicago (“Chicago”) adopted an ordinance prohibiting the use of groundwater as a potable water supply within the city limits. This ordinance provides the basis of a July 3, 1997 Memorandum of Understanding (“MOU”) between Chicago and the Illinois EPA. The significance of this MOU is that TACO allows the use of a local ordinance that effectively prohibits the installation of potable water supply wells as an institutional control. TACO establishes such local ordinances as a basis for excluding the groundwater ingestion exposure route from further consideration for remediation. The effect is that many sites in Chicago with existing groundwater contamination may no longer be required to remediate groundwater contamination as a condition of receiving a No Further Remediation (“NFR”) determination from the Illinois EPA. The Illinois EPA anticipates that the voluntary Site Remediation Program will become more attractive to sites in Chicago and that historical, stalled projects with groundwater contamination may re-enter or more actively pursue NFR determinations.

b. **Expansion of “Brownfields” Efforts** - “Brownfields” has emerged over the last three years as one of the most significant issues and opportunities, for the Site Remediation Program. Illinois EPA has been a national leader in this area and will continue to improve its program efforts to accelerate redevelopment of contaminated sites. This effort will include the implementation of the two new Brownfields initiatives (the Brownfields Redevelopment Grant Program and the Environmental Remediation Tax Credit) and the

Southeast Chicago hazardous waste cleanup work. Illinois EPA will continue to work jointly with USEPA Region 5 as an active participant in its Brownfield Team activities.

The Brownfield Redevelopment Grant Program provides municipalities in Illinois with financial assistance to be used for coordination of activities under the voluntary SRP related to Brownfields redevelopment. Activities include, but are not limited to, identification of Brownfields sites, site investigation and determination of remediation objectives and related plans and reports, and development of remedial action plans. Activities not covered by the grant are the implementation and oversight of remedial plans and remedial action completion reports. The Illinois EPA has the authority to adopt procedures and criteria for administering the grant program.

The Environmental Remediation Tax Credit allows taxpayers a credit against income tax for costs incurred for unreimbursed eligible remediation costs. Such costs must be approved by the Illinois EPA and be incurred in performing environmental remediation at a site for which a NFR letter was issued by the Illinois EPA under the voluntary SRP and recorded in accordance with Section 58.8 of the Illinois Environmental Protection Act. In addition, the General Assembly directed the Illinois EPA to propose regulations prescribing procedures and standards for its administration of tax credit reviews.

The Greater Chicago Environmental Initiative is a joint effort pursued by several environmental agencies and local stakeholder groups, including the Illinois EPA.

- c. Cleanup Funding at State Superfund Sites - Since 1991 a shortfall in funding has greatly reduced the Illinois EPA's effectiveness in controlling the pace of cleanups (i.e., if responsible parties fail to cooperate, the Illinois EPA did not have the state funds necessary to clean up the site and recover costs). Effective July 1, 1996, legislation was enacted that: (1) transferred \$2 million each year from the Solid Waste Fund to the Hazardous Waste Fund to be used for statewide cleanups; and (2) directed the Illinois Pollution Control Board ("Board") to establish regulations and procedures for determining proportionate share by 1999.
- d. Continued Growth in the State's Role on NPL site cleanups - USEPA Region 5 and Illinois EPA have agreed on the use of a block grant which consolidated over twenty separate cooperative agreements and the Core Grant into one funding vehicle. This gives the Illinois EPA the flexibility to move funds from project to project based on need without USEPA approval. This arrangement will reduce administrative costs and enhance Illinois EPA's role in the Superfund program relative to:
 - Efficient and Effective Management of the CERCLA Program
 - Conducting legal, statutory, and regulatory activities necessary to implement effective enforcement activity at NPL sites
 - Effective Administration of a Cost Recovery Program
 - Managing Community Relations Program Activities
 - Management of Block Grant

- e. Superfund Memorandum of Agreement for State voluntary cleanup program - In 1995 IEPA and Region 5 negotiated an addendum agreement to the Superfund MOA to assist Brownfield sites under the state voluntary cleanup program in resolving liability concerns relative to federal EPA. This Superfund MOA has been very effective in getting sites cleaned up, and it is intended that the Superfund MOA continue to be used, unchanged. Effective July 1, 1997 IEPA and Region 5 entered a MOU for RCRA issues addressing similar concerns. IEPA and Region 5 will be implementing this agreement during FFY 98.
- f. Relationship of PPA to CERCLA Grants - Historically, the Superfund activities of Illinois EPA have been funded through a number of different grants related to site assessment, various site-specific actions, and “core support”. As noted, most of the grants have been consolidated into a block grant which has been of significant administrative benefit; however, these grants are still somewhat separated from the PPA even though most output measures are common to both documents.

In the next year, Illinois EPA will work with USEPA to see what will be required to completely incorporate all of the grants into the PPA.

LUST Performance Strategies - This section outlines a series of performance strategies which Illinois EPA will address as lead agency, or jointly with USEPA Region 5, relative to the LUST program. Core Program Output Measures for the LUST program performance strategies are listed in the attachments.

- g. Maintenance of LUST Database - Illinois EPA will monitor and record in a database the number of LUST releases reported.
- h. Review and Evaluation of LUST plans and reports - Illinois EPA will review LUST plans and reports. Resources will be focused on sites that pose the highest human health and environmental risk, have regulatory deadlines, and “Brownfields” sites that are part of a property transfer.
- i. Respond to LUST Emergencies - Illinois EPA’s Office of Chemical Safety, Emergency Response Unit will respond to LUST emergencies. The number of emergencies may increase as a result of more tanks being pulled to meet the 1998 upgrade deadline.
- j. Illinois UST Fund - Illinois EPA will work with USEPA toward seeking approval of the Illinois UST Fund as an acceptable method to meet the federal financial assurance requirements for Illinois petroleum underground storage tank owners and operators.
- k. Public Outreach for the LUST Program - Illinois EPA will continue to enhance our outreach and community relations efforts to help tank owners and operators understand the program and comply with the LUST rules and regulations. This will include publication of a newsletter and technical guidance sheets. Illinois EPA will speak at seminars and public meetings regarding the LUST program and LUST sites. In addition, project managers are available to discuss specific sites with the public upon request.

1. LUST Enforcement Actions - Illinois EPA will take appropriate formal (referrals to the Attorney General's Office) and informal enforcement actions, as needed, to ensure that cleanups are proceeding to protect human health and the environment.

4. **Program Resources**

Superfund/Brownfields Program

The Bureau of Land plans to devote 84 work years in FY 98 to activities in the Superfund/Brownfields Program. Of this total, approximately 40 work years will be supported with federal funding and 44 work years will be supported with state resources.

PROGRAM	Federal Work Years	State Work Years	Total Work Years
Superfund/Brownfields	40	44	84

The number work years shown above are for planning purposes only and do not reflect the number of work years being requested for the Site Remediation Program as part of the Superfund block cooperative agreement.

Other federal funds used to support Superfund/Brownfields Program activities include:

- The CORE Program Cooperative Agreement supports non-site specific activities in both the federal and state portions of the Illinois EPA Site Remediation Program. These activities are usually either administrative, program support related, or are program developmental.
- The Site Assessment Cooperative Agreement supports a multi-step process from site discovery to listing a site on the National Priorities List. This cooperative agreement funds investigation, sampling, inspection, and other data gathering activities for potential NPL sites. This cooperative agreement also supports the Illinois Brownfield Pilot project. This pilot allows the Illinois EPA to work with local communities to identify and assess a number of sites with redevelopment potential. This pilot is in its third year, and has already shown success with one site being developed in Chicago, and with other redevelopments eminent in Chicago, and East St. Louis.
- USEPA supports site-specific activities primarily through the block grant, although there remain a few site-specific cooperative agreements. The grant and cooperative agreements provide funding for state fund lead remedial investigation/feasibility study and remedial design/remedial action activities and for potentially responsible parties oversight by Illinois EPA. In many cases, the Illinois EPA supports many work years from non-federal sources for cleanup activities other than Superfund.
- The Department of Defense ("DoD") and State Memorandum of Agreement Cooperative Agreement reimburses the Illinois EPA for oversight activities provided at federally owned or operated facilities and installations within their boundaries

LUST Program Resources

The Bureau of Land plans to devote 57.27 work years in FY 98 to activities in the LUST Program. Of this total, approximately 20.27 work years will be supported with federal funding and 37 work years will be supported with state resources.

PROGRAM	Federal Work Years	State Work Years	Total Work Years
LUST	20.27	37	57.27

5. **Federal Role**

Federal Role for the Superfund/Brownfields Program

USEPA Region 5 will support IEPA's Superfund and Brownfields activities as follows:

- Provide guidance, policy decisions, and program updates in a timely manner that may impact the States' program.
- Provide Core and Site Assessment yearly funding for effective implementation of the State's programs.
- Support State activities through participation in meetings, community involvement, co-hosting conferences, seminars, information sessions, as appropriate.
- Provide technical expertise wherever possible.
- Continue to pursue new approaches to allow new technologies to be used at Superfund sites.
- Review and provide assistance on State work as requested or required.
- Provide lab analytical services if possible when requested by the State.
- Develop comfort letters and/or prospective purchaser agreements.
- Respond to requests to assist with transfer of federal properties for re-use or re-development.

Region 5 (Superfund Division) will provide appropriate Generator Hazardous Waste and Generator Non-Hazardous Special Waste reports for prior fund-financed removal and remedial actions by March, 1998. IEPA assistance will be available if needed to complete the reports by the date requested. USEPA will meet with IEPA prior to March 1998 to develop a process for ensuring reports are completed appropriately.

Federal Role for the LUST Program

USEPA Region 5 will inform Illinois EPA of:

- a. Upcoming training, seminars, meetings, and provide forums to exchange ideas and information. In addition, if Illinois EPA identifies specific training needs, USEPA Region 5 will assist in locating and /or providing the needed training.
- b. Projected LUST funding, procedure and policy changes and other information that will directly or indirectly affect Illinois EPA's administration of the LUST program.

6. Oversight Arrangements

Superfund/Brownfields Program Oversight Arrangement

Both USEPA Region 5 and Illinois EPA support each other's activities throughout the Superfund process, including reviews of work plans, investigations, studies, community relations plans, risk assessments, remedial designs, draft and final reports, etc. This process can result in duplication of effort and diminishes a relationship based on a true partnership. In order to streamline our efforts and demonstrate partnership, USEPA Region 5 and Illinois EPA amended the Superfund Memorandum of Agreement (SMOA) identifying those activities that need be done by either USEPA Region 5 or Illinois EPA. The following Comparison of USEPA Region 5 and Illinois EPA Oversight Roles delineates the federal and state roles relative to review of documents under the Superfund program. During FFY 98 Illinois EPA and Region 5 will perform a further review of the SMOA "crosswalking" it with this PPA with the goal of determining whether the entire substance of the SMOA can be "rolled" into the PPA (but with a reduced length) in FFY99.

COMPARISON OF USEPA REGION 5 AND ILLINOIS EPA OVERSIGHT ROLES

<i>Document for Review</i>	<i>Federal Role</i>	<i>State Role</i>
Community Relations Plan	A (limited)	RC
Health and Safety Plan	RC	AUD
QAPP	A (limited)	AUD
Sampling Plan	RC	RC
Field RI Activities	AUD	AUD
Draft RI Report	RC	CNC
Final RI Report	AUD	AUD
FS Workplan	AUD	AUD
ARAR Review	RC	RC
Draft FS	RC	RC
Final FS	AUD	AUD
Proposed Plan	A	RC
ROD	A	CNC
Responsiveness Summary	RC	AUD
Final Design (Fund Lead)	RC	RC

Final Design (Enf. Lead)	AUD	AUD
RA Change Orders (Fund Lead)	RC***	RC
Preliminary & Final Inspections	P	P
Preliminary & Final Closeout Reports (Fund Lead)	A	A
Preliminary & Final Closeout Reports (Enforcement Lead)	CNC	CNC
Five Year Reviews (Fund Lead)	RC	RC
Five Year Reviews (Enforcement Lead)	AUD	AUD

(*limited)

(**Federal approval not necessary if SPM is certified)

(***Subject to Block Grant initiatives)

Key and Definition of Terms

A	Approve	Each agency must fully approve each document before the document can be considered final
AUD	Audit	Prior to approval or a response to the document is not required, however the support agency may do a review after the fact to determine conformance with established procedures. If there is a deficiency identified and the parties concur, then steps shall be taken to correct the deficiency. Non-concurrence on deficiencies should be elevated to the appropriate management levels.
RC	Review and comment	The support agency will review and comment on the designated document. The lead agency does not need to receive an approval from the support agency to produce a final document.
CNC	Concur or non-concur	The support agency may either concur or non-concur on the document. Non-concurrence will require that the issues relevant to the document are elevated to the appropriate management level for potential resolution of the dispute.
P	Participate	The support agency will be given adequate notice and supporting documentation to attend meetings.

LUST Oversight Arraignment

The Illinois EPA/USEPA Region 5 oversight arrangement will be similar to the oversight that has been provided over the past couple of years. USEPA Region 5 and Illinois EPA will:

- Conduct monthly conference calls with the appropriate people from each agency participating;

- Conduct semi-annual meetings (at mid-year and end-of-year) to discuss progress in the LUST program; and
- Coordinate the grant status (Illinois EPA will continue to provide quarterly financial status reports).

The monthly conference calls and semi-annual meetings will allow Illinois EPA and USEPA Region 5 to discuss changes in legislation, regulations, policies and procedures. USEPA Region 5 will provide a mid-year report and end-of-year report following the meetings. Illinois EPA will report the progress in the LUST program in the Environmental Performance Self-Assessment.

I. Clean/Safe Water Program

1. **Program Description** - The program elements are designed to protect and maintain existing water resources in Illinois. Three principal efforts work together to fully address all aspects of water resource protection and management. Several program elements serve all efforts, and are consolidated. These functions include data management; compliance assurance (including formal enforcement management systems approved by USEPA) for both facility operational parameters and competency of facility operating personnel; infrastructure financial assistance; program administration; and quality control and quality assurance for environmental monitoring.
 - a. **Water Pollution Control** - Illinois' point and nonpoint source program efforts are managed using a watershed management approach and two permit systems to control the discharge, treatment or disposal of wastewater. The program serves to manage and protect existing water resources; restore and maintain water quality in those waters which have degraded due to natural causes or human actions; monitor water quality and water resource conditions; manage watersheds and drinking water aquifer recharge areas; limit discharges into water resources; insure operational compliance through facility inspection and evaluation; participate in educational activities to insure that both owners and operators understand operation, compliance and administration requirements; provide compliance assistance and initiate informal and formal enforcement procedures; and administer financial assistance programs. Reporting on all compliance provisions contained in statute is done through PCS. Program operations are authorized by primary delegation for federal Clean Water Act and its regulations, specific delegation agreements for NPDES and grant/loan activities, and through requirements of the Illinois Environmental Protection Act. Program emphasis is being restructured to focus upon compliance through pollution prevention measures, using watershed management as the basis for redirecting and more closely coordinating existing activities, as well as the framework for developing new activities.
 - b. **Public Water Supplies** - Public water supplies program efforts focus on the provision of an adequate quantity of safe drinking water to Illinois consumers consistent with USEPA negotiated PWSS program priority guidance. Program activities are administered through the inspection and evaluation of water supply sources, treatment,

distribution, administration and operation; water quality monitoring at the source, treatment entry point and distribution system; permitting of new or modified water supply facilities or treatment processes; administration of a Community Water Supply Testing Fund (CWSTF) program that provides analytical services and assistance with monitoring related requirements; provision of compliance assistance and initiation of formal enforcement procedures; participation in educational activities to insure that both suppliers and operators understand operation, compliance and administration requirements; and administer financial assistance programs. A source water protection program which is closely coordinated with the watershed protection initiative of the Bureau is being used to protect surface and groundwater sources and to achieve ongoing compliance. Program operations are authorized by primacy delegation for federal Safe Drinking Water Act regulations and through requirements of the Illinois Environmental Protection Act.

The Illinois Department of Public Health (IDPH) has responsibility for the non-community water supply (NCWS) program through a Memorandum of Agreement (MOA) that requires program operation to achieve compliance with federal SDWA and IPCB regulations. The MOA is being modified to include the source water assessment initiatives required by the 1996 SDWA amendments. Through the MOA, the IDPH will be completing potential contamination source identification within 1000 feet of non-community water supply wells. Other activities under the MOA include inspection and evaluation of non-community water supplies, water quality monitoring, provision of technical assistance, enforcement activities, operator training and demonstration of competence for surface water supply operators, and source water protection programs. IDPH has contracted program responsibility to some County Health Departments. Those County Departments perform inspection services, prepare reports, provide data input and update and enforcement case referral to IDPH. Compliance reports for federal requirements are provided quarterly as an integral part of Agency reports.

The Agency provides analytical services for all contaminants for which a maximum contaminant level has been set by the Illinois Pollution Control Board. In order to be able to provide this service, the Community Water Supply Testing Fee Program was passed by the Governor and General Assembly in 1990. This voluntary program provides analytical services for all required monitoring including repeat and confirmation samples for an annual fee. In 1996, IDPH obtained the legislation and resources required to support specific NCWS monitoring efforts through a Laboratory Fee Program. The program establishes fees for specific analyses. Analytical services are available to all NCWSs serving fewer than 100 persons. Free analytical services are provided for schools. NCWSs serving more than 100 persons are required to use a private laboratory for analytical services. IDPH laboratories are working to receive certification for all parameters required under federal Safe Drinking Water Regulations as quickly as possible to ensure full monitoring compliance.

- c. Source Water/Groundwater Protection - The Bureau will continue aggressive implementation of a source water protection program under the newly re-authorized SDWA. Source water protection efforts for surface water supplies will be coordinated and implemented in conjunction with watershed management and restoration efforts.

Protection of public water supplies using groundwater will continue to be implemented under existing wellhead protection programs. Groundwater protection program efforts utilize a process centered upon pollution prevention to manage groundwater quality, with special emphasis upon the protection of public water supply resources. Groundwater standards developed through the state regulatory process and requirements for wellhead protection form the basis for program activities. Principal efforts include participation with the Source Water Protection Technical And Citizens Advisory Committee, Groundwater Advisory Council, and Priority Groundwater Protection Planning Committees to develop and implement groundwater protection and education programs; maintenance of an ambient groundwater network; technical assistance, compliance monitoring and enforcement of wellhead protection programs using well site surveys and review of local setback zone ordinances; development, support and enforcement of groundwater standards; participation in special groundwater projects and studies; technical assessments of source vulnerability criteria for well siting and monitoring waivers; technical assistance for compliance; initiation of formal enforcement procedures; participation in educational activities to insure that all required program elements are understood by water suppliers and operators; and interagency coordination of all state programs which deal with groundwater related issues. Reporting will be provided to USEPA, Region 5 from the Groundwater Section's geographic information system and Water Works Data Base, which includes compliance and site data, wellhead protection data, and hydrogeology data modules that are being integrated with the Bureau's Comprehensive Water System. The Illinois Groundwater Protection Act and the Illinois Environmental Protection Act form the legislative basis of authority for this program. Projects under Clean Water Act Sections 106, 305(b), and 319 and Section 1428 and 1453 of the SDWA also serve as authorization and support for many groundwater program activities. An official submission of Illinois' Core CSGWPP was made to the Regional Administrator. On July 29, 1997 USEPA fully endorsed Illinois EPA's Core CSGWPP. The groundwater protection program will work with USEPA and other groundwater-related programs to achieve greater flexibility, as well as continue to work toward improvements in groundwater protection using a targeted resource-based approach.

The Illinois Department of Public Health implements a wellhead protection program for non-community water supply (NCWS) wells in accordance with the implementation strategy submitted and approved by USEPA Region 5 in July 1992. The implementation strategy primarily focused on: expansion of the wellhead protection area (WHPA) to 1,000 feet; inspection of the expanded WHPA during routine sanitary surveys that are conducted every one-two years; and sponsorship of wellhead protection workshops for county and regional personnel. State requirements also include provisions for NCWSs. The Illinois Groundwater Protection Act established setback prohibitions that apply to non-community water supply wells. The Illinois Pollution Control Board adopted technology control regulations that apply to certain new and existing activities within the non-community well setback zones. County and Regional Health Department representatives participate in the four Priority Groundwater Protection Planning Region committees appointed by the Agency under the Act to assist with groundwater protection programs across the State.

2. **Program Linkage to Environmental Goals/Objectives** - The environmental goals, objectives and indicators include various water related conditions. These indicators were chosen to reflect statewide progress in areas of water quality, safety of the drinking water provided to Illinois citizens and overall reductions in water-related pollutant loading. The section on Performance Strategies describes new or expanded activities that will be implemented in FY 98 that lead to achievement of the environmental goals and indicators.

The “Watershed Management” strategy addresses those watersheds with significant water quality concerns. The specific activities listed under this strategy will direct Bureau programs to improve or protect water quality conditions in streams or lakes (waterway and inland lake conditions). The point source control activities in the watershed strategy will also provide improved compliance for those discharges that most directly influence water quality (wastewater discharges). Further, the source water protection component will insure increased compliance with drinking water criteria (finished drinking water) and insure that the areas around community water supply wells and surface water supply watersheds are protected from hazardous sources of pollution (groundwater recharge areas). Finally, the sediment management program is intended to address the most significant remaining water-based sources of pollution to Lake Michigan (Lake Michigan conditions) and other surface waters.

The activities listed under “program enhancements” will also contribute to achievement of the goals and indicators. The NPDES program delegation is expected to improve both understanding of and compliance with permit requirements. NPDES permit backlog management activities will place priority on discharges to impacted watersheds and should contribute to improved overall water quality (waterway and inland lake conditions). Public Water Supplies will focus on the development and initial implementation of innovative programs needed to carry out the provisions of the Safe Drinking Water Act Amendments of 1996 including the integration of source water protection provisions into Watershed Management. The expanded municipal compliance assistance programs will be directed at both wastewater discharges and public water supplies and should improve compliance rates in both areas (wastewater discharges and finished drinking water).

ENVIRONMENTAL GOAL

Clean Water - Illinois’ rivers, streams and lakes will support all uses for which they are designated including, protection of aquatic life, recreation and drinking water supplies.

Environmental Objectives

1. Waterways with Good water quality conditions will increase 10% by the year 2000.

2. The percentage of lakes in Good or Fair condition will remain constant from 1995 to the year 2000.

3. The percentage of open shoreline miles in Good condition remains constant from 1995 to the year 2000.

Program Objectives

4. The percentage of non-compliant pollutant load discharged in the year 2000 will be less than 0.5% of the total permitted pollutant load discharged.

5. Watershed plans are reducing or eliminating identified use impairments.

Environmental Indicators

The percentage of waterways that are classified as Good, Fair or Poor based on assessment of aquatic life use attainment. (Source: Annual supplement to Sec. 305(b) report)

*The percent of waters that protect public health and the environment by supporting a) fish and shellfish consumption, b) safe recreation, and c) healthy aquatic life use designations. (Source: Annual supplement to Sec. 305(b) report)

*The percentage of assessed rivers and estuaries with healthy aquatic communities (Source: Annual supplement to Sec. 305(b) report)

*Percent of change of selected substances found in surface waters (Source: Annual Supplement to Sec. 305(b) report)

The percentage of inland lakes classified as Good, Fair, or Poor based on assessments of overall use support attainment. (Source: Annual supplement to Sec. 305(b) report)

The percentage of Lake Michigan open shoreline miles that are classified as Good, Fair, or Poor based on assessments of overall use support attainment. (Source: Annual Supplement to Sec. 305(b) report)

Program Outcomes

The total pollutant load associated with non-compliance as a percentage of the total permitted load discharged. (Source: Annual Conditions Report)

*Percent of facilities implementing wet weather control measures. (Source: End of Year Report)

The percentage of priority watersheds with implementable plans submitted and approved by the Agency. (Source: End of Year Watershed Status Report)

*Percent of watersheds with toxic pollutant loadings at or less than permitted limits. (Source: Annual Conditions Report)

*Number of stream segments showing water quality benefits as a result of Clean Water State Revolving Fund. (Source: End of Year Report)

*Core Performance Measure (CPM) selected by EPA for FY 98 agreements. Type of measure (i.e., indicator, outcome, or output) reflects EPA's view of the CPM hierarchy and does not necessarily imply concurrence by IEPA.

ENVIRONMENTAL GOAL

Safe Drinking Water - Every Illinois Public Water System
will provide water that is consistently safe to drink

Environmental Objectives

1. The percentage of the population served by community water supplies who receive drinking water with no short term (acute) or long term (chronic) adverse health effects increases to over 95% by the year 2005 (an increase of 5%).

Program Objectives

2. 50% of the community water systems in the State with source water protection programs in place by 2005.

Environmental Indicators

The percentage of persons served by community water supplies that have not incurred violations of any acute MCL, chronic MCL, acute treatment technique, chronic treatment technique or health advisory during the year for drinking water standards that have been in effect for more than 3 years. (Source: SDWIS)

*Number and percent of community water systems with one or more violations of health-based requirements during the year. (Source: SDWIS)

*Percent of community and non-transient non-community water systems with lead levels in drinking water exceeding the action level in the Lead and Copper Rule. (Source: SDWIS)

Program Outcomes

*The number and percent of community water systems with groundwater or surface water protection programs in place. (Source: SDWIS)

*Percent of rivers streams and reservoirs designated for drinking water use that fully support use as a drinking water supply. (Source: Annual Supplement to Sect. 305(b) report)

ENVIRONMENTAL GOAL

Groundwater - Illinois' resource groundwater will be
protected for designated drinking water and other beneficial uses

Environmental Objectives

1. A declining trend of groundwater contaminants in CWS wells will occur through year 2005.

Program Objectives

2. The percentage of groundwater recharge areas (acres) with protection programs established or under development will increase 15% between 1995 and the year 2005.

Environmental Indicators

Trends for groundwater contaminant exceedances in CWS wells using unconfined aquifers. (Source: End of Year Report)

Program Outcomes

The percentage of total recharge groundwater recharge areas (acres associated with water supply wells) using unconfined aquifers that have protection programs established or under development. (Source: Annual Conditions Report)

*Core Performance Measure (CPM) selected by EPA for FY 98 agreements. Type of measure (i.e., indicator, outcome, or output) reflects EPA's view of the CPM hierarchy and does not necessarily imply concurrence by IEPA.

3. Performance Strategies

a. Base Program

- Watershed Management - The Illinois EPA has restructured its surface water and groundwater programs around a watershed based focus. Watershed workshops were held in the last 2 years, and the information gained is being utilized in the development of a Watershed Implementation Plan guidance document. Development of the guidance document will continue into FY 98. Priority watersheds have been selected for fast-track planning efforts. Plans developed are under review, and efforts to complete additional plans will continue into FY 98 based on resources available. Maps on priority watersheds are being produced utilizing a Geographic Information System (GIS) to provide additional technical information to assist in planning efforts.

The Bureau will continue to operate an Ambient Water Quality Monitoring network for both surface and groundwater, conduct intensive basin surveys, and coordinate a network of monitoring volunteers to supplement lake and stream water quality data collected by Illinois EPA. The Bureau will also maintain and update the State Water Quality Management Plan which identifies goals and objectives pertaining to activities having water quality impacts. The Continuing Planning Process (CPP) provides a description of the Illinois water pollution control program.

Core Environmental Indicators

- See Clean Water Goal.

Core Program Outcomes

- See Clean Water Goal.

See Attachment - for Planned Outputs

Federal Role - USEPA will promote watershed management through the Piscasaw pilot project, through cooperation with IEPA on the IL River Water project, by supporting the Region Watershed workgroup, by working with IEPA in the definition of the Watershed Implementation Plan and the revision of the Continuing Planning Process, by providing technical assistance to other watershed projects, and by reviewing revisions to the Illinois Water Quality Management Plan.

- Point Source Control Programs - Emphasis will be placed on managing those point sources that cause or contribute to water quality problems in priority watersheds. These sources will include both major industrial and municipal dischargers and significant minor dischargers. The Bureau will track progress in reducing impacts from these sources as a measure of success in implementing this aspect of the watershed program. By diverting resources to problem dischargers in priority watersheds, we expect that there will be some reduction in historic work effort

devoted to major discharges that are not in priority watersheds. However, major dischargers will receive six reconnaissance/sampling visits per year on average, and full compliance inspections will be scheduled at approximately 60 percent of major facilities. We expect to continue to maintain compliance rates consistent with USEPA goals.

While the compliance assurance programs of the Bureau (including field inspections, compliance follow-up and enforcement) are structured to provide timely response to all violations of NPDES permits as well as other state and federal requirements, programs are now in place to specifically track the pollutant loads associated with point sources in targeted watersheds. This information is used to make strategic enforcement decisions. The Agency has developed an indicator to report noncompliant loads from permitted point sources in priority watersheds and the percentage of excess (non-compliant) pollutant load discharged from 325 priority targeted facilities was calculated for 1995 and 1996. By identifying critical watersheds and facilities with significant levels of noncompliant load, the Illinois EPA prioritized its efforts at eliminating the most significant impacts to our water resources. Achieving the goal in the first year of this targeted activity indicates that this prioritization effort is an effective tool at reducing excess pollutant loading. In view of this apparent success, the Illinois EPA will expand the target group of facilities for next year and continue efforts to further reduce excess (non-compliant) pollutant loads.

Core Program Outcomes

- Total pollutant load associated with non-compliance (Source: Annual Conditions Report), percent of facilities implementing wet weather control measures (Source: End of year report), and percent of watersheds with toxic pollutant loadings at or less than permitted limits (Source: Annual Conditions Report).

See Attachment - for Program outputs

Federal Role --USEPA acknowledges the shift in program emphasis from major discharges to sources impacting priority watersheds. Preissuance oversight of individual permits has been essentially discontinued, and available federal resources on the permitting side will be focused on resolving common permitting issues associated with existing, new or revised federal policies or effluent guidelines, identifying and resolving issues associated with state delegation and initial operation of the sludge program and pretreatment programs. USEPA will also be responsible for advising the state of their interest in the NPDES permits for dischargers located in the USEPA place based efforts such as Gateway or Greater Chicago. Available federal resources for compliance and enforcement will be focused on compliance monitoring in priority sectors, including petroleum refining, iron and steel, industrial organic chemicals, industrial inorganic chemicals, combined sewer overflows; sludge inspection; storm water inspections, and enforcement of significant violation found in these sectors; compliance assistance

and enforcement related to the sludge program; and support to the state for its efforts in priority watersheds, or where federal enforcement action is requested or warranted, as resources allow. In those areas where the USEPA has identified “place-based” initiatives, such as Greater Chicago, Piscasaw Creek, and the Gateway areas, USEPA will take the lead on working out a process to provide adequate program coverage that takes best advantage of the resources of both agencies, and other partners. USEPA will work with Illinois EPA to schedule direct assistance for the following activities:

1. Performing wet-weather inspections including construction site stormwater inspections.
2. Reinstating seminars for pretreatment POTWs.
3. Setting up seminars for industrial users of specific POTWs.

USEPA will provide this assistance as its staff resources allow and in consideration of the needs for similar assistance by other states in Region 5.

- Nonpoint Source Programs - Illinois EPA will continue to emphasize nonpoint source management programs using funding made available from Section 319 of the Clean Water Act. Additional base program activities in those priority watersheds impacted by nonpoint sources will include expanded monitoring, consultation and technology transfer/awareness programs directed at contributing watershed land owners, intergovernmental working agreements, increased attention to permitted and unpermitted storm water sources and accelerated implementation of program activities identified in the approved Nonpoint Source Management Plan. Section 319 projects will place emphasis on correction of specific watershed problems and development of implementable watershed plans.

See Attachment - for Program outputs

Federal Role--Regional staff will support the expanded funding of nonpoint source monitoring and control activities that are part of the overall watershed program. In some cases, this may require consideration of activities that have not historically been considered for nonpoint source support at the federal level; however, activities must be eligible under Section 319 for funding. The USEPA, in cooperation with NRCS, will assist the Illinois EPA watershed efforts by conducting Watershed Management Training Workshops within the Illinois River Watershed.

- Public Involvement - The key to the success of the watershed program is understanding and involvement of citizens with local knowledge of water quality problems. Local input into watershed planning was initiated through a series of workshops. Information from these workshops is being utilized in the development of a watershed Implementation Plan for use by local planning organizations. To continue to promote watershed planning, the Illinois EPA is sponsoring three (3)

workshops by the Conservation Technology Information Center (CTIC) on their “Know Your Watershed” initiative. Additionally, the Watershed Management Committee of the Natural Resources Coordinating Council has extended invitations to public and private organizations to engage in watershed planning discussions.

See Attachment - for Program outputs

Federal Role - USEPA and the Illinois EPA will monitor activities of the association of watershed stakeholders.

- Source Water Protection - The Bureau will continue aggressive implementation of a source water protection program under the newly re-authorized SDWA. Illinois EPA will prepare and submit a Source Water Delineation Assessment Program Application pursuant to the requirements under Section 1453 of the SDWA to USEPA Region 5. The Illinois EPA built on its tradition of public involvement in forming a Source Water Protection Technical and Citizen’s Advisory Committee. The committee of 21, represents PWSs, environmentalists, business, farmers, and federal and State government. The committee will continue to meet on demand throughout the planning and implementation of the program.

Monitoring flexibility will continue to be based on implementation of effective source water protection programs. As described above, technical assistance and outreach in the form of source water protection area delineations and potential source identification will be enhanced. The Bureau will continue to work with land owners in the source water protection area and community water supply officials to implement this program. Cooperative efforts with entities such as the Groundwater Guardian will also be continued. Illinois worked with the Groundwater Foundation to pilot a new program referred to as the “Groundwater Guardian Affiliate Program”. The Illinois EPA worked with each of the four Priority Groundwater Protection Planning Regions to become Groundwater Guardian Affiliates and to commit to a series of “result oriented services”. These result oriented services include working with communities within their respective regions to implement local source water protection programs and become Groundwater Guardian Communities. Groundwater Guardian Communities are committed to preparing new “result oriented activities” each year. This program will assist with measuring the long-term success of local source water protection efforts. Illinois currently has 11 Groundwater Guardian Communities, second only to Nebraska the home state for the Groundwater Foundation. Illinois will continue to expand these activities.

Illinois is also piloting a program referred to as the “Source Water Protection Mentor Program” in USEPA Region 5. The mentor program is being conducted in 9 states across the country, and is working with retired senior volunteers to assist with implementation of local source water protection programs. Under the Initiative, a team of local senior volunteers or mentors is being trained to provide

technical support and assistance to communities and water supply providers participating in the program in the Northern and Northeastern Priority Groundwater Protection Planning Regions. The volunteers will be able to assist in the development and implementation of Source Water Protection Plans. Interested communities will bear no costs for services of the volunteers. The McHenry/Kane and Winnebago County Retired Senior Volunteer Programs (RSVP), the Rural Water Association, the Environmental Alliance for Senior Involvement and the National Association of Counties (NaCO) and the National Association of Towns and Townships (NATAT) have endorsed this effort and are providing their assistance to this collaborative endeavor. To date ten volunteers have been recruited to participate in the development of source water protection programs for 12 communities in the Northern and Northeastern Groundwater Protection Planning Regions. Two communities will be contacted by Illinois Rural Water Association to perform a training session for the two RSVP groups.

Illinois' watershed program is unique in that it integrates surface water and groundwater programs to protect public water supplies. In many cases, local involvement in wellhead and recharge protection programs as well as protection of watersheds tributary to surface water supplies are a critical component of a priority watershed plan. By including groundwater and land use considerations into watershed plans in the vicinity of community well and surface water supplies, the surface acres will significantly increase the scope of the management plan. Expanded wellhead and recharge zone protection areas also offer incentives for pollution prevention initiatives by industrial and agricultural sources. The Bureau intends to continue to work closely with the Agency's Office of Pollution Prevention to target these sources. Five nonpoint source pollution prevention projects will also be continued to implement integrated pesticide management plans, nutrient management plans, scouting, soil testing, and other appropriate agricultural pollution prevention measures in communities implementing local source water protection programs. These actions have increased the number of vulnerability waivers that are granted to community water supplies.

The Illinois Department of Public Health is coordinating the development of a source water protection program through participation on the Natural Resource Coordinating Council's Watershed Management Committee chaired by the Agency. Existing IDPH regulations provide for the approval of sources that are subject to either ground or surface water contamination. IDPH can prohibit the use of such sources by new NCWSs or require an existing NCWS to either change sources or provide treatment.

Core Environmental Indicators

- See Safe Drinking Water Goal

Core Program Outcomes

- See Safe Drinking Water Goal

See Attachment - for Program outputs

- Groundwater Protection Program - As described above, the Bureau will expand the groundwater protection program to accelerate implementation of pollution prevention in wellhead protection areas for new and existing water supply wells. The Illinois EPA will continue the development of regulated recharge area and maximum setback regulations for proposal to the Illinois Pollution Control Board. In addition, the Illinois EPA will work with the Illinois Nature Preserve Commission and other stakeholders in the designation of 85 Dedicated Nature Preserves as Class III Special Resource Groundwater. Class III Special Resource Groundwater is established for: demonstrably unique (e.g., irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; or for groundwater that is vital for a particularly sensitive ecological system.

The Bureau will work on development of a vision for a fully integrated CSGWPP. Under this vision, areas of needed flexibility from USEPA will be evaluated and described to advance quality improvements toward a fully integrating CSGWPP. Given USEPA's ability to provide flexibility for certain requirements, program enhancements could include negotiation with other Illinois EPA Bureaus and Divisions to provide inspections that include, pollution prevention technical assistance for small businesses located in high priority wellhead protection areas. Illinois EPA expects to receive a CSGWPP grant to expand the Illinois EPA's customized Environmental Systems Research Institute's ArcView® version 2 application. This customized application, referred to as I-Glass®, integrates information from the Illinois EPA's Oracle® database system, and the Department of Natural Resources CD-ROM of GIS coverages for the State with ArcView. I-Glass was designed from the bottom-up by Illinois EPA staff with the goal of providing a means for professional staff, who are not expert GIS users, to benefit from the data integration and data visualization power of GIS. The grant will leverage our ability to perform source water assessment and delineation activities pursuant to Section 1453 of the Safe Drinking Water Act by accelerating and enhancing the level and availability of resources for this effort.

The Groundwater program will also continue to work on integrating the BOL shallow groundwater monitoring at regulated facilities and sites, and the Illinois Department of Agriculture's rural pesticide monitoring program to develop an overall groundwater quality indicator.

Core Environmental Indicator

- See Groundwater Goal

Core Program Outputs - See Groundwater Goal

- Lake Management Programs - The Governor's "Conservation 2000" program, initiated in SFY96, provides a wide range of conservation initiatives to be implemented by the Illinois Department of Agriculture, the Illinois Department of Natural Resources, as well as the Agency. Many of these activities are expected to directly or indirectly impact the watershed program, particularly in the area of nonpoint source control. Conservation 2000 includes funding to implement the "Lake Management Framework Plan," a comprehensive program for improvement of Illinois' inland lake resources. This program includes expanded technical and educational assistance to lake owners interested in developing restoration and protection plans. Ambient and volunteer lake monitoring efforts have been expanded for assessment and management purposes. Finally, a limited financial assistance program has been put in place (the Illinois Clean Lakes Program) to provide grants for planning and implementation of these activities. Lakes with watersheds on the priority list will be given first access to the funding and technical assistance provided by the Conservation 2000 program.

See Attachment - for Program outputs

Federal Role--The Federal "Clean Lakes" Program authorized under Section 314 of the Clean Water Act administered by the USEPA, is essentially the same as the State program. USEPA staff will work with the Agency to insure that any Section 314 funding that becomes available will be used to complement the State program and promote the watershed process. The USEPA will also support the use of Section 319 funds to implement appropriate management measures in-lake as well as within their watersheds as set forth in approved clean lake program plans where consistent with the Illinois Nonpoint Source Management Program.

- Sediment Management - Sediment monitoring in conjunction with the Water Quality Monitoring Strategy will continue to be conducted by the Illinois EPA. As in the past, sediment quality data will be entered into the STORET data system. The Illinois EPA's stream and lake sediment classification systems will be used to evaluate sediment data and recommend areas of concern for additional monitoring or investigation as to the sources of contamination. Control programs will then be incorporated into the Watershed Management Plans mentioned above.

See Attachment - for Program outputs

- b. Program Enhancements - In the Illinois EPA's self-assessment, the Bureau identified a number of general program enhancements in the three major program areas (water pollution control, drinking water and groundwater programs) that would address

identified weaknesses or improve overall program effectiveness. The following summarizes commitments to implement these enhancements and a proposed federal role:

- Safe Drinking Water Act Amendments of 1996 (SDWA) - There are a number of national work groups developing regulations required by the SDWA Amendments and the Bureau is assisting on several of these. Tracking the progress of rule development will allow some advance preparation to initiate State rule making.

Legislation for the State Revolving Loan Fund (SRF) was signed into law by Governor Edgar on July 17, 1997. Region 5 is now reviewing SRF program documentation submitted by BOW and, if the program is approved, loans should become available before the end of Calendar Year 1997.

The first Annual Compliance Report will be due on January 1, 1998. BOW has been tracking development of the guidance for this program and should be able to submit the required documentation and make public notice on time.

The State will set-aside 10% of the FY1997 SRF allotment for the purpose of delineating and assessing source water protection areas pursuant to 1452(k)(1)(C) of the SDWA. A comprehensive work plan for use of these set-aside funds has been previously submitted.

Federal Role--USEPA will provide the State with guidance on the Annual Compliance Report. USEPA will review, comment, and approve the IL Source Water Assessment Program in accordance with nationally established review criteria. USEPA must approve the State program within nine (9) months of official receipt.

- Small System Support - Technical assistance activities continue to focus upon providing operational compliance assistance to small community water supplies and toward reducing monitoring and reporting violations for small systems through operator education on a one-to-one basis during operational visits and sanitary surveys. Several scheduled activities will provide additional operational assistance through conferences, seminars and workshops co-sponsored with and provided by the Illinois Rural Water Association and the Illinois Section American Water Works Association. Presentations by Field Operations staff will also be made at workshops co-sponsored with the Illinois Department of Public Health, at the Illinois Potable Water Supply Operator's Association (IPWSOA) annual conference and at local operator meetings. These presentations will include topics such as record keeping and reporting requirements; operational testing procedures; backflow program implementation and record keeping; new requirements of the SDWA amendments of 1996; groundwater regulations; State Revolving Loan fund for public water supplies; and other topics of interest that would help in the proper operation and maintenance of community public water supplies.

See Attachment - for Program outputs

Federal Role--USEPA will continue to develop regulations and guidance for major Amendment requirements. Input from States and USEPA Regional personnel will be included throughout the entire development procedure.

- State Revolving Fund - With the legislative approval of the drinking water loan program, the Agency was able to file emergency rules to govern the operation of the program through November 14, 1997. Concurrent with the emergency rules, the Agency filed proposed rules which must be codified under the Administrative Procedures Act. An advisory committee has been assembled and meetings with the committee members will be held periodically. Main topics of discussion in the first year will be the proposed rules for operation of the loan program and expanding eligibilities beyond units of local government. The Drinking Water loan program will be operated in a similar manner as the wastewater loan program.

See Attachment - for Program outputs

- Capacity Evaluation - Existing Illinois Pollution Control Board rules and Agency regulations regarding the design, operation and maintenance of public water supply systems through the construction and operating permit processes include many capacity elements. Evaluation of existing regulations indicates that additional legislation will be needed to address the installation of new water supplies that do not have assured technical, financial or managerial capacity. The Agency is developing a preliminary legislative revision package pending finalization of the federal guidance on this issue.

Federal Role--USEPA is developing guidance for capacity evaluation requirements, and should provide alternative models using information from States which already have programs in place. Input from States and USEPA Regional personnel will be included throughout the entire development procedure.

- Technical and Public Education - These goals have been addressed since the inception of the Agency as a basic drinking water program element. A provision of the Amendments allows the USEPA Administrator to provide technical assistance to small PWSs, including circuit-rider and multi-state programs, training and preliminary engineering evaluations. The Bureau has long supported technical assistance as a basic element needed to maintain compliance for all public water supplies, and has planned specific activities in FY 98 in addition to routine core program operational visits (Class II Sanitary Surveys) and presentations in response to invitations. Workshops designed to provide technical assistance in record keeping, operational performance monitoring, cross-connection control and rule interpretation will be offered in several locations by the Bureau and the Illinois

Rural Water Association. The Bureau and Illinois Section AWWA will jointly provide technical assistance to small water supplies by presenting a description of the changes to the Safe Drinking Water Act and other State and federal regulations at the Annual meeting, the two regional Small Systems Annual Meetings held in October, and through seminars scheduled to be presented throughout the State. Bureau personnel will continue to participate in public civic organization programs as well as professional association activities to provide education in drinking water requirements and programs.

Public education will be further enhanced through the development and implementation of the annual compliance report which will be made available prior to January 1, 1998.

See Attachment - for Program outputs

Federal Role - USEPA will develop guidance for educational and technical assistance requirements. Input from States and USEPA Regional personnel will be included throughout the entire development procedure. USEPA personnel will actively participate in these programs whenever possible.

- Legislative Changes - Assessment will be conducted during FY 98 to determine the extent of legislative changes required as a result of the Amendments. Development of changes to existing statutory or regulatory language or new legislative proposals needed to address aspects of Capacity Development and Administrative Order Authority will be the highest priorities. Evaluations of existing operator certification legislation and permit regulations pertinent to capacity development indicate that additional legislative action will be required to address these Amendment requirements.

See Attachment - for Program outputs

Federal Role - USEPA will review and provide comments on proposed legislation and regulations to insure consistency with federal statutory requirements. Support during the legislative adoption process may also be provided.

- NPDES Program Delegation - The Division of Water Pollution Control commits to complete delegation of the Pretreatment and Sludge Management components of the NPDES permit program in FY 98 and undertaking initial operation later in the year. The Bureau will work closely with USEPA to resolve any questions or information voids that may exist. Simultaneously, the Bureau will continue to pursue, through the Illinois regulatory process, changes to our sludge regulations to provide compatibility to 40 CFR 503. This process will include continued involvement and education in the regulated community and the public, not only for the specific rulemaking activity but for the program itself. A similar effort is being undertaken

for the stakeholders in the pretreatment program, and will continue during initial implementation when some indirect users will become subject to permits for the first time. The pretreatment communication process will also recognize the concerns of the delegated POTW's as approval authority passes from USEPA to Illinois EPA. This process will involve significant communications with the regulated community and the public as the programs are developed and as initial implementation proceeds. The sludge program will also involve formal rulemaking. As implementation is initiated outreach in the form of an educational effort will be needed. Illinois EPA is planning to hold workshops and prepare program specific material to aid in this effort.

Innovative approaches to improving the overall operation of delegated programs will be developed during the early stages of implementation. These programs will include a proposal for market-based incentives for the pretreatment program and pollution prevention initiatives in both the sludge and pretreatment programs.

See Attachment - for Program outputs

Federal Role--Expeditious federal review of the delegation agreements is essential to the timely transfer of the sludge and pretreatment programs to the State. In addition, federal involvement in the development and delivery of educational information to the regulated community will aid in the effective transfer of program responsibility to the State. Small business may be identified that have not been regulated by either USEPA or the State. These businesses need to be the target of an educational effort. The Agency, has through its small business program, been developing informational pamphlets to distribute to the small business community on an industry by industry basis. USEPA assistance in preparing these pamphlets for specific categories, such as metal finishing will enhance the Agency's ability to reach more of these small businesses.

A second area of communication enhancement would be the development of a workshop for the delegated pretreatment POTW programs. As the transition from the Federal program to the State program occurs the need to provide responses to the POTW's concerns is likely to develop. The workshops, a joint effort of USEPA and Illinois EPA will provide an opportunity to address those concerns and provide a forum to provide a program update.

A third effort in the area of communication would be workshops to address the concerns of the regulated indirect user. Again a joint workshop format would serve that purpose. This effort could also be refined to target specific categories of indirect users, such as metal finishers that have special needs or problems that are of a unique nature. This format could also be directed to the industrial users of a specific POTW, using a workshop sponsored by USEPA, Illinois EPA, and the POTW.

USEPA support in the drafting of permit language on pretreatment and sludge management for selected facilities will minimize backlogs and expedite transition. A plan for the coordination of staff efforts in this area will be developed as part of the delegation agreements. A program to train Agency staff on pretreatment program implementation, including permitting of IUs, is planned in October, 1997.

- NPDES Permit Backlog - The Bureau currently has a backlog of expired NPDES permits ranging from 24.6% for industrial discharges to 2.8% for municipal facilities. While a backlog is never a desirable condition, the expired permit conditions remain in effect until a new permit is issued. For facilities where permit requirements are not expected to change significantly over time, the impact of operating under an expired permit is minimal. The Bureau has taken significant steps to reduce the backlog through the use of general permits and more efficient use of limited resources. We will further minimize the impact of permit backlog by targeting permit resources on reissuance of expired permits in priority watersheds with point source impacts. This initiative coupled with a continuing emphasis on major permits should effectively minimize the environmental impact of backlogged NPDES permit reissuance. We will also insure that the backlog of all expired majors does not exceed 20%.

See Attachment - for Program outputs

Federal Role--As new federal regulations are issued that affect different industrial sectors, USEPA will identify specific issues that could impact expired permits and work with the Bureau to develop appropriate language for permit issuance. USEPA will facilitate information exchange between the states on watershed protection, innovative approaches, etc., that could be used by Illinois EPA in this effort. Region 5 will also expedite the review of the draft general NPDES permits which will require renewal during FY 98, so that the use of general permits continue to be a significant element of the permit backlog reduction effort.

- Compliance Assistance/Enforcement -The Bureau will continue its comprehensive assistance program to provide medium and small municipal wastewater facilities with information and technical support to assist in the identification of wastewater performance trends and encourage timely planning for preventive and corrective actions. We intend to expand this program to include larger municipal and other nonmunicipal wastewater facilities as well as small community water supplies with a history of operational problems. The Bureau will continue to implement several activities to improve compliance assistance and multi-media coordination. Field staff will provide a level of compliance assistance which is appropriate for the needs of the facility at each inspection. This may range from a discussion of the inspection results to extensive operational assistance, and includes participation in the Clean Break small business assistance program. A tracking and reporting system for compliance assistance activities and success measurements is under development,

and will be implemented on a trial basis during the next year. Both inspections and compliance monitoring will be focused on priority watersheds, but Bureau staff will also participate in extensive multi-media coordination of compliance activities. The Bureau will continue to target enforcement/compliance assistance as part of a watershed based strategy to ensure timely and appropriate enforcement action are taken for all facilities in SNC.

The Bureau will continue to pursue the improvement of water quality and the achievement of sustained compliance via appropriate state actions. These include requiring an Illinois EPA permit consistent with applicable state requirements for the construction, modification, and/or operation of water supply facilities, water mains, wastewater treatment works, sewers, pretreatment, and mining facilities; administering the State's Build Illinois Compliance Grant program, loan assistance for drinking water and wastewater, and requiring properly certified operators as a vehicle for assuring that drinking water and wastewater treatment facilities are properly operated and maintained by qualified personnel. The Bureau will also continue to routinely update PCS, SDWIS, and GICS as well as continue to assist USEPA in addressing information needs. Information will continue to be provided on all water programs.

See Attachment - for Program outputs

Core Program Outcomes - The required data elements for Accountability Outcome Measures #1 and #2 and Output Measures #1 through 4 of the Enforcement and Compliance Assurance Programs will be maintained in the Permit Compliance System.

Federal Role - The Region will continue to provide any information on national or other state activities with a similar focus. USEPA will share compliance assistance tools with the State, review QNCR, review the draft tracking and reporting system, provide multi-media inspection training, and share the enforcement workload with the State to assure statewide/program wide coverage of SNCs and geographic areas of concern.

- Pollution Prevention Initiatives - The Bureau will participate in several activities targeted toward facilities potentially impacting water quality. Field staff will coordinate an outreach to a small, developing community on the outskirts of Springfield, drawing on the resources of the Bureau's nonpoint source and Permit staff and targeted at Village officials and developers in the local area. This will be primarily an educational effort emphasizing regulatory assistance with permitting requirements, the water quality impacts of construction site runoff, and appropriate control measures. If successful, such a program could be expanded to other areas as resources allow. Livestock waste program staff will work in conjunction with the Office of Pollution Prevention to develop recommendations and materials for

distribution to livestock producers. Also, staff will participate in an effort to develop information on pollution prevention and spill prevention technology appropriate for the relatively small oil producers located in downstate Illinois. This material, in addition to a spill cleanup protocol, will be the basis for an outreach effort to producers when completed.

See Attachment - for Program outputs

Federal Role--USEPA will provide information and P2 and AFOs to IEPA.

- Great Lakes Water Quality Initiative - Most of the front end development for implementation of the Great Lakes Initiative in Illinois was accomplished in FY97. Public hearings for the water quality standard portion of the GLI are complete, it is anticipated that the Pollution Control Board will complete deliberations and satisfy the procedural requirements of the Administrative Procedures act during the first quarter of FFY 98. Likewise the Agency is completing adoption of the permitting procedures and implementation provisions specified in the federal guidance on the same timeframe. Upon adoption of the standards and procedures, emphasis will shift to actual implementation for the remainder of the fiscal year and into the future.

See Attachments - for Program outputs

Federal Role--USEPA experts in the various methodologies developed for GLI may provide testimony at IPCB hearings. Clearinghouse coordination for GLI related data will continue to be needed. USEPA Standards Unit will review Illinois EPA proposals and hold subsequent negotiations.

- Development of Biocriteria Water Quality Standards - Illinois EPA will continue to work with the Region on the development of biocriteria in FY 98. The Biocriteria Workgroup will continue to meet on a regular basis and bring together experts and interested parties to discuss the issues involved in formulating state biocriteria standards. The regionalization framework for biocriteria has been finalized with the identification of eleven Aquatic Life Management Areas (ALMAs). These are areas of similar fish fauna as determined from a study of relatively healthy and diverse monitoring sites. The next major topic for consideration by the group is that of determining reference sites and reference conditions so that comparisons to minimally impacted conditions can be made. Completion of this step is necessary to provide an implementation system for biocriteria standards.

See Attachment - for Program outputs

Federal Role - The Standards Unit and related units at Region 5 will continue to be of help in the development of biocriteria by providing expertise in map generation, statistical analysis of fisheries data and the workings of biocriteria in general.

USEPA staff will continue to attend Workgroup meetings and provide guidance in development of these standards. Conference facilities at the Great Lakes Conference Center will continue to be needed for Workgroup meetings.

- Water Quality Standards Triennial Review - The Agency will initiate a triennial review of the Illinois water quality standards in the second quarter of the fiscal year. The review will include, but will not be limited to updates of water quality standards for several metals, cyanide and the BETX suite of organic chemicals. The use designations for the DesPlaines River from its confluence with the Chicago Sanitary and Ship Canal to the Interstate 55 Bridge will also be evaluated.

Federal Role - USEPA will work closely with the Agency during the process of developing revisions to water quality standards and any changes to use designations to insure that proposals submitted to the Illinois Pollution Control Board can receive federal approval once adopted.

- Total Maximum Daily Load (TMDL) - The TMDL process is an important tool for developing watershed-based solutions. Both the identification of water quality limited waters under Section 303(d) of the Clean Water Act and the Targeted Watershed Approach rely heavily on the 305(b) reporting process. The Illinois EPA has incorporated the State Waterbody Tracking System (WBTS) information into the Bureau of Water's GIS. The WBTS is used to track 305(b) related assessments as well as 303(d) listed waters. The Targeted Watershed Approach is discussed in greater detail in the document entitled "Targeted Watershed Approach, A Data Driven Prioritization," March 1997, with annual updates provided through the Bureau of Water's annual program hearing. Modeling is being evaluated for application on a watershed scale which would enhance the capabilities of the Illinois EPA to accelerate the TMDL process. These models are being tested through funding from the USEPA and a final report on their performance will be forwarded to Region 5 upon completion of the study.

See Attachment - for Program outputs

Federal Role - USEPA will continue financial and technical support and will assist in completing the modeling studies. USEPA has formed and will continue to support a TMDL workgroup made up of representatives of the region and the states to address implementation issues.

- Municipal Pollution Prevention Initiative - Since the majority of permitting, inspection, and compliance activity in the Bureau of Water involves municipal facilities, many of the pollution prevention concepts developed and implemented by the Agency have had limited usefulness as tools in achieving water program goals. Staff from the Bureau will be working with the Office of Pollution Prevention to develop a series of pollution prevention and "beyond compliance" activities which

would be appropriate for implementation by municipal water and wastewater treatment facilities, and could also be incorporated into other municipal operations such as public works or recreational facilities maintenance. Implementation of pollution prevention elements in municipal pretreatment programs will also be included. In addition, an outreach effort will be initiated to identify one or more municipalities or utilities who would implement a pollution prevention program on a pilot basis.

- Livestock Waste Management - The Bureau has operated a livestock waste management program for many years, and has had field office staff specifically assigned to the program for over 15 years. Permit staff and the Agency's Agricultural Advisor provide additional resources for the program. In 1996, the Legislature adopted the Livestock Management Facilities Act in response to public concern about environmental effects of livestock production facilities, particularly large hog confinement facilities. Among other things, this law gives the Illinois Department of Agriculture (IDOA) some additional responsibilities for regulating environmental aspects of these facilities. During FY1997, the Bureau began discussions with IDOA about a Memorandum of Agreement which would ensure that Illinois EPA and IDOA activities at livestock facilities are coordinated, especially in the areas of facility location, design, and construction. The agreement should be finalized early in FY1998.

In past years, the activities of field staff have been primarily driven by citizen complaints of air or water pollution. While the Agency will continue to be responsive to complaints, an additional effort will be undertaken to initiate inspections of large facilities and facilities located within selected targeted watersheds. These facility visits will be oriented toward compliance assistance and will utilize the pollution prevention fact sheet developed by OPP as a resource. Illinois EPA will work with Region 5 in order to identify and develop an inventory for all animal feeding operations with 1,000 animal units or greater, regardless of permit status and enter into the PCS database. The Agency will also work with Region 5 to review current state strategies for dealing with CAFOs in the context of the emerging federal compliance strategy including permitting, inspections compliance priority ranking criteria and enforcement.

Federal role - USEPA will update the CAFO survey of 1995 that delineates current AFO programs.

See Attachment - for Program outputs

- Coordinated Use of Enforcement Authorities - Efficient use of resources and effective approaches to promoting compliance can be optimized through coordination between USEPA and Illinois EPA regarding pursuit of enforcement

activities. Periodic conferences with designated compliance and legal staff at USEPA and Illinois EPA should take place to discuss formal enforcement actions each agency anticipates initiating and to identify violators that are to be pursued as a cooperative effort by both agencies. Identification of such cooperative efforts should take into account the priorities of each agency, including targeted watershed considerations, geographic initiatives (such as those involving the Metro East area, Southeast Chicago, and the Upper Mississippi River), priority pollutants, and the pretreatment and sludge programs. Where USEPA will take the lead in enforcement action, Illinois EPA would, in appropriate instances, provide supporting information and participate in proceedings and settlement negotiations. Such participation would apply to matters handled by both administrative orders issued by USEPA and by complaints filed in federal court through the United States Department of Justice ("USDOJ"). If warranted by the circumstances, the Illinois Attorney General's Office, on behalf of the Illinois EPA and the State of Illinois, may elect to intervene as a formal party to enforcement cases filed by USDOJ.

Federal Role - USEPA and, in some cases, USDOJ would initiate and pursue the enforcement actions that are to be handled cooperatively with a federal lead. Penalties collected in such matters would be split with Illinois EPA in recognition of the degree of state support provided.

- Compliance Assistance Activities - During the fiscal year, the Bureau and the Region will exchange information on reporting that is being provided outside the Self-assessment and other commitments contained in the PPA. The Bureau will also work with Region 5 to identify elements of national priorities from the April 1996 Revised State Programs Priorities Guidance report on program activities in a mutually agreeable format. The goal of this review is to further streamline reporting and oversight within the constraints of federal statutory and regulatory requirements.

See Attachment - for Program outputs

Federal Role - USEPA will provide a comprehensive list of current reports received from the Agency as well as a listing of reports and submissions required under federal statutes and regulations. They will work with the Agency to streamline necessary reporting and integrate this reporting into the self-assessment process to the maximum extent possible. In addition, a study of oversight and accountability activities has been undertaken. When complete, the study will be used by USEPA and the state to insure that these programs are both efficient and responsive to program needs.

4. Program Resources - The Agency plans to devote 323 work years in Fiscal Year 1998 to activities in the Water program. Of this total, approximately 168 work years will be supported with State resources and 155 work years will be supported by federal funding

under the Clean Water Act and Safe Drinking Water Act. The distribution of work years is expected to be as follows.

	Federal Estimated Work Years	State Estimated Work Years
Water Pollution Control	94	127
Public Water Supplies	61	41

Work years associated with groundwater protection activities are included in the numbers shown for the Public Water Supply program. The non-community water supply program is administered by the Illinois Department of Public Health and accounts for 12 of the federal work years above. This level of effort assumes that federal grant awards in FY1998 will approximate the amounts reflected in the President's budget with a portion of the work years supported by the FY1998 expenditure of federal funds awarded in an earlier period.

5. **Federal Role for Clean/Safe Water Program** - While new Federal and State roles will be discussed and emerge during the next year, Region 5 commits to support the Bureau of Water in all efforts necessary to achieve the Agency's mission of clean and safe water. Administratively, Region 5 will continue to provide Illinois EPA timely information regarding available resources and competitive grants throughout the year and will work with the State to expeditiously apply for and receive appropriate awards. Region 5 will work with Illinois EPA to seek innovative ways to address broad regional priorities, including community based environmental protection, pollution prevention and compliance assistance. Geographic initiatives are in place in the Greater Chicago and East St. Louis areas as well as the upper Mississippi River Basin in Illinois, and efforts will continue to foster relationships with these local areas and address specific community concerns. In addition to those listed elsewhere in this agreement, Regional activities in the State's broad program components include the following:

- Region 5 commits to providing technical and programmatic assistance to Illinois EPA, in the development of revisions to states water quality standards.
- Region 5 will provide technical assistance, resources, and tools to states and local governments implementing WHPPs and further develop tools that will benefit all the states in Region 5 to better implement WHPPs.
- Region 5 will pursue coordination among its programs and with other Federal agencies to promote the use of Illinois' WHPAs for priority setting and to possibly leverage resources.
- Region 5 will work with Illinois EPA and other partners on developing plans to assess and remediate sediment pollution in the West Branch of the Grand Calumet River.

- Region 5 will also assist the State in expanding GIS/GPS capabilities.
- Region 5 will assist Illinois EPA staff with interpretation of the National Primary Drinking Water Regulations, and with the development of regulatory implementation alternatives.
- Region 5 will work with Illinois EPA to work through analytical methods as they arise.
- Region 5 will work with Illinois EPA staff to apply in Illinois geographic initiative areas (Greater Chicago, East St. Louis) the sediment GIS/database system currently used in the Southeast Michigan Initiative. The system is designed to visualize and analyze sediment data at sites in priority waterways.

6. **Oversight Arrangements** - Oversight for the Water programs will be results oriented, not tied to a specific methodology or set of procedures. The role of oversight is to provide the parties to the agreement knowledge that a task has been completed, is of good quality and is in conformance with the applicable law and regulation. The scope of oversight is determined by the task itself.

a. **Water Pollution Control Program** - The reporting mechanisms for the water pollution control program are tied to the specific activity subjected to oversight. Some of these mechanisms have matured and are serving the needs of the oversight process quite well. Others are in stages of redevelopment and will continue to be reviewed and modified to better serve the needs of the party.

Grants/State Revolving Fund - This system has matured and serves the program well. No changes are anticipated.

NPDES Permits - The new oversight process is in the fourth year of implementation of revisions. Agreement has been reached to eliminate the formal preissuance review of each major permit. The current program involves staff to staff discussions and problem resolution before the drafting of an NPDES permit or modification. Conflict resolution procedures have been developed. The principal reporting system is the Permits Compliance System (PCS). Region 5 and the Bureau are negotiating a list of permits projected for reissuance for which USEPA would review prior notice. Applications for modification of NPDES permits are supplied as received. As the permits are issued or modified, PCS is updated. Minor permit activity is also noted in PCS. Targeted watershed permit activity reporting will be in PCS also.

Inspection Program - The current system is working well. No changes are anticipated at this time.

Compliance Monitoring and Enforcement - The current system is working well. USEPA and the Agency will continue to update oversight and coordination activities to reflect changing program priorities discussed in this document.

Nonpoint Source Management Program - Current program reporting requirements will be reduced to an annual basis, utilizing the Grant Reporting Tracking System (GRTS).

Quality Assurance Program Plan (QAPP) - The review and approval by USEPA needs to be limited to only those issues required for approval, and oriented toward eliminating duplication of effort. Reporting will be the QAPP itself.

- b. Public Water Supply Program - The current process of providing periodic self assessments on the negotiated PWSS program priority guidance will be continued. The Bureau will continue work with the Illinois Department of Public Health to report on national goals and indicators (as a separate measure) for non-community water supplies with measures to be initiated during FY 98.
- c. Groundwater Program - The current process of providing self assessments will be reduced. Groundwater protection progress will be reported electronically to the Region.

ATTACHMENTS

- Listing of Funding Sources
- Summary Report For FY 98 PPA Focus Group Discussions
- Listing of Program MOAs and MOUs
- Dispute Resolution Process
- Program Outputs

LISTING OF FUNDING SOURCES

- A. The FY 98 federal performance partnership grant to Illinois EPA includes the following programs for which this agreement serves as the program commitment (e.g., work plan):
1. Air pollution control program (CAAA, Sec. 105)
 2. TSCA compliance assurance
 3. Hazardous waste management program
 4. Underground injection control program
 5. Water pollution control program (CWA, Sec., 106)
 6. Public water system supervision program
- B. For the following categorical grants to Illinois EPA, this agreement also serves as the program work plan:
1. CERCLA implementation support (CORE)
 2. Base program funding for nonpoint source control activities (CWA, Sec. 319)
 3. Construction grant program administration funding (CWA, Sec. 205(g))
 4. Water quality management planning funding (CWA, Sec. 604(b))
 5. State revolving fund administration funding (CWA, Sec. 603))
- C. The Performance Partnership Grant may be amended during FY 97 or FY 98 to incorporate the pollution prevention incentives grant.
- D. For the following federal grants to Illinois EPA, this agreement provides an overall strategic framework and, in some cases implementation provisions, that work in concert with the requisite project-specific work plans that remain in effect:
1. Emergency planning/Community Right-To-Know project
 2. CERCLA pre-remedial support
 3. CERCLA site-specific projects
 4. Funding for nonpoint source projects (CWA, Sec. 319)
 5. Clean Lakes project funding (CWA, Sec. 314)
 6. Research and demonstration funding (CWA, Sec. 104(b)(3))
 7. Operator training funding (CWA, Sec. 104(g))

SUMMARY REPORT FOR FY 98 PPA FOCUS GROUP DISCUSSIONS

For the FY 98 PPA, Illinois EPA and Region 5, USEPA sponsored three focus group discussions with interested stakeholders. The purpose of these sessions was to promote public involvement and review of the priorities, strategies and performance targets and measures provided in the PPA. Prior to these sessions, a draft agreement and the Annual Environmental Conditions Report - 1996 were sent to the participants.

This summary report presents the highlights from these discussions and flags issues, concerns and suggestions that were provided by the stakeholders. IEPA and Region 5 responses are also presented.

Local Government Session

The Northeast Illinois Planning Commission (NIPC) coordinated the outreach process to solicit participation by local officials. About 38 local entities were contacted and invited to take part in the focus group discussion. Fourteen local officials came to the session held on September 26, 1997 in Chicago. These officials represented 10 different local organizations (see attached roster).

The following highlights show what was discussed at this session:

1. Opening remarks were made by Bernie Killian and Dave Kee regarding the distinctions between the old and new ways of doing business. Roger Kanerva described the key features of the FY 98 PPA. Each Bureau Chief gave a brief presentation about key aspects of their respective programs.
2. Staff of SWANCC expressed support for the household HW collection program. It has partnered with IEPA to do several collection events and would like to do these more frequently. It also expressed an interest in the impacts of out-of-state waste on local recycling efforts. It sees recycling education for kids in schools as the key to making progress. It sees an opportunity to partner with IEPA and expand education to address air quality matters.

- **Responses -**

- (1) IEPA stated that we would like to do more education. It is good to target things to school kids, and we would be willing to explore more joint efforts between programs.
- (2) IEPA described the two pilot permanent locations for HHW collections. These pilots are going well and may lead to other permanent locations. However, funding is limited and does affect our ability to offer this service to the public.

- (3) IEPA described the partnering process being done as part of "Partners in Clean Air." but we'd like to do more and will look into some cooperative venture.
- (4) IEPA described the work being done under Conservation 2000. We are giving \$200 grants to schools for clean lakes education. We have gotten an excellent response from local educators.
- (5) Region 5 described some of its efforts involving indoor air and global climate change.
- (6) Region 5 also noted that we are moving away from the traditional "stove pipe" organization. These multimedia approaches run the risk of not keeping historical constituencies.

- Key Point - Education is really important and should be stressed in many of these environmental programs.

- 3. Mike Callahan described how citizens view their local treatment works. They think it's there to treat toxics in wastewaters rather than handle domestic sewage. It suggested that more publicizing of results achieved is needed to better inform citizens.

- Responses -

- (1) IEPA expressed general agreement that we could do more to show the progress that's been made. The Annual Environmental Conditions Report is a recent effort to show what's being done.
- (2) Region 5 said that a lot of problems in the Midwest are emphasized so that solutions will be found.

- 4. Phil Peters commented on the difficulty of doing multi-objective watershed planning. Extensive fragmentation of interests and players makes it very hard to pull together. A Cook County official asked about interstate impacts such as excess stormwater coming down from Wisconsin. A water reclamation district asked for an explanation of the authority behind watershed planning.

- Responses -

- (1) IEPA agreed that watershed planning can be difficult to do. The Natural Resources Coordinating Council has helped by establishing a Watershed Committee.
- (2) May be appropriate to seek more state involvement on an "opportunity basis," where local interests have organized.
- (3) IEPA could do some coordinating with other agencies to work on stormwater problems.
- (4) IEPA relies primarily on local planning authority to do watershed approach. There is also some backup authority via stormwater permitting under the NPDES program. USEPA will be making some proposals as well under Phase II of the stormwater control program.

5. Several local officials asked about certain compliance matters. How quickly do we act when violations occur? Are some violators getting off easy, and do we coordinate with local agencies to identify bad actors?

- Responses -

- (1) IEPA stated that it can take some time to take enforcement action. The new Section 31 compliance process should give us more timely action.
- (2) IEPA is keeping a base enforcement presence to deter bad actors. We want a level playing field for environmental protection in Illinois.
- (3) More contact and coordination with local agencies might be productive for some enforcement situations.

6. Rick Smeaton presented a statement about Kane County's "Land Resource Management Plan for 2020." They stress open spaces and resource management areas as keys to preventing environmental degradation. They have set a goal of achieving a "B" classification for all waters in the County. Several copies of the plan were given to IEPA.

- Response - IEPA is very interested in the County's use of our classification systems for waters.

7. Phil Peters stated that he was glad to see us select urban sprawl as one of our priorities. They have seen environmental impacts on both community and regional levels. Brownfields redevelopment efforts should be helpful to help manage these problems.

- Response - IEPA described the new authority we have for tax credits and local grants relating to Brownfields.

8. An official from a planning agency in Southwestern Illinois submitted written comments for our consideration. These comments addressed urban sprawl and Brownfields, sub-watershed planning efforts, regulatory innovation, source water protection and lake management.

- Response - IEPA will send this person a copy of the proposed rules for the pilot regulatory innovation program.

Environmental Interests Session

Citizens for a Better Environment coordinated the outreach process to solicit participation by environmental interests. About 23 groups were contacted and invited to take part in the focus group discussion. Thirteen persons participated in the session held on October 2, 1997 in Chicago. Each one represented a different group (see attached roster).

The following highlights indicate what was discussed at this session:

1. Opening remarks were made by Mary Gade and Dave Kee regarding the distinctions between the old and new ways of doing our business. Roger Kanerva described the key features of the FY 98 PPA and the design of the outreach process. Each Bureau Chief then gave a brief presentation about key aspects of their respective programs.
2. Joanna Hoelscher opened the discussion session by explaining how they organized for this meeting. They met a week before to decide who would take the lead for various parts of the agreement. She also presented a general overview of their comments:
 - There are some interesting and positive things in the PPA. She likes the initiative to address sensitive receptors and special groundwater monitoring.
 - Some of the goals are troublesome to them such as the Clean Air (use of "significant") and toxics goals (reduce vs. eliminate risks).
 - Some objectives are troublesome too such as for open dumps and RCRA facilities.
 - Devolution and reduced federal oversight are a concern to these groups.
3. Ron Burke presented his views regarding the clean air program. He thinks the federal role is not fully articulated and that more specific/details are needed for priority matters. Good measures are important as well. He then described his top priorities for FY 98:
 - Ozone attainment - He agrees with our selection of this issue but thinks we should better explain public involvement in the NOx modeling work.
 - Title V permits - He agrees with the emphasis on this work. He also asked questions about the PM monitoring network, emissions inventories and 112r.
 - Air toxics - New monitoring data for HAPS this year. Can we publish a report about this information in 1998?
 - He is not clear on the level of detail that we should have and the number of the measures.

Responses -

- (1) IEPA has a plan to use the policy group for public involvement in NOx modeling. We should reference this approach in the PPA.
 - (2) Specific questions were answered by IEPA.
 - (3) IEPA stated we may not be able to get toxics information reported in 1998 because more work is necessary the first time around.
 - (4) Region 5 and IEPA emphasized that the agreement tries to focus on outcomes rather than just traditional "bean counting."
4. Jo Patton presented her views regarding the multimedia issues. She likes the multimedia compliance strategy and sees that as a progressive effort. She is concerned about the EMS agreements and wonders what "devils" might be in the details. They want to be involved in these projects. She wants to see Clean Break work but thinks we're giving mixed signals to small businesses. The message has to include use of "hammers" (enforcement) at some point. If program is extended, we should not let folks off the hook.

- Responses -

- (1) IEPA advised her that new regulations have just been proposed for the EMS agreements. It's in the public comment period, and we welcome their participation. The proposed regulations will be sent to her.
 - (2) IEPA described the approach it used for printers as part of the Clean Break program. We sent some 2300 letters to printers so they would be aware that we know about them. We got over 250 phone calls right after letters went out. Good sign that they understood the situation.
5. Keith Harley addressed the site remediation programs. In general, he thinks the PPA is ambiguous about what is meant by "public." They don't think it should include regulated entities. The goals are not that good for the real public. He gets many legal service requests for communities where environmental justice is raised. The PPA is not clear enough on this issue and where Illinois is headed. He wants an across-the-board, overall EJ statement. He also thinks that public participation is not well coordinated among programs. Public is confused about who to go to for various cleanup problems. How can we better connect citizens with right program? He made other specific points as follows:
- S.E. Chicago cluster started as a local initiative. Other opportunities to generate local action may get overlooked.
 - Local people may go from potential allies to adversaries if they are left out of cleanup projects.
 - PPA needs clear expectations for performance so USEPA can step into the picture if something really goes seriously wrong.
 - Need to create a better public participation model for these programs.

Responses -

- (1) IEPA stated some dissatisfaction with typical "lip service" given to EJ. The real issue here is dealing with cumulative risks. Current laws do not really authorize agencies to address this concern. We would like to work with them to see what might be workable. (They responded affirmatively.)
 - (2) Some good points made about public participation. IEPA needs to give this more thought.
6. Albert Ettinger gave his views about the clean water program. In general, he sees this part of the agreement as being poorly done and too vague. Some progress has been made, but Illinois only does what the federal requirements call for. He believes IEPA is issuing "illegal permits," and it is not good that Region 5 no longer reviews each discharge permit. Illinois has also failed to really implement an anti-degradation policy. He sees a lot of weaknesses in the goals and objectives we have developed:
- Nonpoint source management plan is mostly hollow promises.
 - Not good that we describe (pg 91) lake quality as staying the same.

- Not sure what the percentage covers for the noncompliant load measure or for source protection work.
- No real emphasis on anti-degradation in work plan.
- Enforcement is lacking for the livestock facilities.
- How do other state agencies (DNR, DOA, etc.) come into play?
- What is the timetable for TMDLs?
- Areas protected for drinking water are far too low. Much more needs to be done.
- Illinois has a problem with water supply decisions and lacks State authority to influence the outcome.
- He wants USEPA back in the water game as much as possible.
- Response - IEPA noted that many of our new partnership efforts are a work in progress. We will look into setting up a process to address relevant concerns. We are willing to work with you on these matters.

7. The discussion was then opened up for all participants that wished to make comments or ask questions. The following points were made by various persons:

- They would like to see a State EPA that they could be proud of. More environmental advocacy and less attention to business interests.
- IEPA needs to really implement the solid waste hierarchy in permitting work.
- It is a problem when IEPA employees leave the State and then go to work for regulated companies.
- They want IEPA to do settlements like Region 5 does. These settlements bring in local groups as players.
- When are we going to start addressing problems with radium in drinking water.
- IEPA needs a multimedia effort to deal with medical waste now that the new regulations are out for hospital incinerators. Many hospitals could shutdown their incinerator operations.
- They are glad to see these partnership efforts but are concerned about us having enough resources. We should strengthen the document by dropping the clause at the end of the mission statement. IEPA should be an environmental advocate.
- What will be done to finish paying our dues for the Great Lakes Protection Fund?
- They would like to try more collaboration with IEPA. They are willing to work on legislation and other things.
- IEPA should try some consensus building like the DNR's Conservation Congress.
- Some goals are lacking. Illinois has a weak anti-degradation policy. There is no timetable or targets for the nonpoint sources program. Why not call for a 10% reduction of nonpoint impacts in priority watersheds.
- A question was asked about performance reporting for this partnership arrangement.
- Several specific questions were asked about federal roles, RCRA inspections and a target for improvement of poor quality lakes.

- They would like an opportunity to review final draft and see what our responses are to these discussions.
- Responses -
 - (1) IEPA will look at laws dealing with state employees changing jobs. Legal Counsel was asked to do a review and prepare an analysis. It was also noted that some of the best P2 programs are at companies where an ex-IEPA person went to work and improved things.
 - (2) IEPA will look into the Region 5 approach to settlements.
 - (3) IEPA has an approach to the radium situation and will go over it with interested persons.
 - (4) IEPA agrees that more coordination should take place for medical waste management.
 - (5) IEPA is willing to try again for better collaboration with these interests. They should make arrangement to get together with us.
 - (6) IEPA sees these persons as real environmental advocates and not part of the "general public" out there. How do we mobilize the average citizen to work on real problems? We must do a better job of reaching out to the real public. A participant responded that people have different sets of experiences which affects their outlook. Partners for Clean Air was also mentioned as a program that has gotten to the general public.
 - (7) IEPA explained the Annual Performance Report that will be done for the PPG. We can do benchmarking and show what progress is happening. Copies of the APR will be sent to these persons.
 - (8) IEPA and Region 5 are under a time crunch to finish the PPA. A summary of these discussions will go into the agreement, and related responses will be provided.

Business Interests Session

The Illinois State Chamber of Commerce coordinated the outreach process to solicit participation by business interests. About 15 groups and companies were contacted and invited to take part in the focus group discussion. Five persons participated in the session held on October 2, 1997 in Chicago. Each one represented a different group or company.

The following highlights indicate what was discussed at this session:

1. Opening remarks were made by Mary Gade and Cheryl Newton regarding the distinctions between the old and new ways of doing our business. Roger Kanerva described the key features of the FY 98 PPA. Each Bureau Chief then gave a brief presentation about key aspects of their respective programs.
2. Harry Walton opened the discussion by asking what these goals and indicators really mean for regulated community. Do these become moving targets that mean more requirements or are they truly just benchmarks for progress?

- Response - IEPA stated that the impact varies for different programs. But, in general, these are intended to show how we are doing relative to applicable requirements.
3. CICI asked about the new indicator for total toxic load.
 - Response - IEPA said this indicator was developmental, and we will seek review and comment as we go along.
 4. Mark Homer mentioned environmental education as a problem indicator. In their experience, it is very difficult to actually measure if people are better informed. They look at specific educational efforts and how many persons are involved.
 - Response - IEPA agrees that it is a challenge to do this well. But we are trying to get at real impacts and, thus, want to try and measure what is learned.
 5. Harry Walton suggested that we use cleanup status relative to TACO targets as a metric. This sorts things out on a risk basis.
 - Response - IEPA stated that this is an interesting idea. We will look into it.
 6. Jerry Starkey expressed a concern that USEPA could second guess what IEPA does with Title V permits. Why not have federal comments occur during the public notice period?
 - Response - IEPA and Region 5 advised him that the MOA for this program calls for exactly this approach.
 7. Harry Walton then asked us how many MOAs are there? Are people aware of these agreements and how they could be affected?
 - Response - IEPA said that there are many MOAs in effect. We will work on attaching a listing of these agreements to the final PPA.
 8. Jerry Starkey asked about the status of the RCRA delegation. He prefers seeing the State have the lead role.
 - Response - IEPA explained where this was described in the PPA. It also appears that the specific strategy could be more clear.
 9. A general question was asked about our activities to address the PM standard.
 - Response - IEPA described what was being done.

10. Harry Walton noted a concern with potential loss of insurance coverage for cleanups due to a lawsuit. They would like us to be involved.

- Response - IEPA is aware of this situation and will participate if possible.

11. A question was asked about P2 being pushed in permits.

- Response - IEPA clarified that this was just an alternative that's being promoted. It is not a requirement or anything like that.

12. In general, they like our outreach for program performance measures.

- Response - IEPA mentioned the inclusion of improved compliance measures as an example of where we're heading with NEPPS.

Focus Group Discussion

9/26/97

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2. Roger Kanonen Illinois EPA (217) 785-5735
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4. BROOKE BEAL ^{Illinois} Solid Waste Agency 847-286-9205
5. Bill Balling VILLAGES OF BUFFALO GROVE AND SUANEE 847-459-2525
6. Rick Manner Fox River WRD 847-742-2068
7. S. J. Saffitz MWRDC 708/222-4074
8. Mike Callahan Bim-Nm WRD 309 827 4396
9. William Fearek Cook County DEC 708/865-6165
10. BILL STUBB METRO WATER RECLAMATION Dist. 312-781-3041
11. TODD MARVEL ILLINOIS EPA 217/524-5024
12. Bill Child IEPA / BOE 217/785-9407
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14. Jim Park IEPA / BOE (217) 782-1654
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24. Lou DeRose " " " " " "
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Focus Group Discussions 10/2/97

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MASTER LIST
OF PROGRAM MOA/MOUs

Emergency Management

1. Letter of Agreement for Illinois Emergency Operations Plan
2. Agreement for Illinois Plan for Radiological Accidents
3. MOA for Spill Response on the Upper Mississippi River

Clean Air Program

Agreements that are in place:

1. Illinois Department of Commerce and Community Affairs (DCCA) - This Agreement defines the responsibilities of DCCA and the Illinois EPA in developing and implementing the Small Business Stationary Source Technical and Environmental Compliance Assistance Program which is required under Section 507 of the Clean Air Act.
2. Cook County Department of Environmental Control - This agreement identifies the responsibilities of the County in the implementation of the air monitoring network and filter weights analysis at the Robbins Incinerator.
3. Illinois Department of Commerce and Community Affairs - The agreement identifies small business activities for which DCCA is responsible on an annual basis.
4. Illinois State University - The University will provide population projections to the Agency (Agency intergovernmental agreement split between the Bureaus of Air and Water).
5. Cook County Department of Environmental Control - This agreement identifies the annual activities associated with the installation and operation of the monitoring network and filter weights analysis at Robbins Incinerator.
6. Illinois Department of Agriculture - The annual agreement identifies Stage II inspections at gasoline dispensing stations that will be conducted by the Department.

Agreements to be done during FY 98:

1. Title V Agreement - The agreement will establish a working arrangement with USEPA regarding the Title V permit program.
2. Transportation Conformity Agreement - The agreement will be negotiated with the Chicago Area Transportation Study and Illinois Department of Transportation regarding the Clean Air Act requirements to ensure transportation related projects conform to state implementation plan.

3. Compliance Plan - An annual agreement with USEPA to implement compliance and enforcement issues within the context of the enforcement response plan to be finalized with USEPA.
4. Cook County Department of Environmental Control - This agreement defines the responsibilities of Cook County in the implementation of Section 105 Clean Air Act environmental protection programs.
5. Illinois Department of Commerce and Community Affairs - The agreement which identifies the responsibilities of DCCA associated with the Illinois/India Environmental Initiative grant.
6. City of Chicago - This agreement identifies the annual responsibilities of the City in accordance with Section 105 of the Clean Air Act.

Land Program

1. Superfund Memorandum of Agreement between the IEPA and USEPA. This agreement establishes procedures to designate "lead agency" and "support agency" roles for all Superfund activities including federal facilities oversight.
2. In 1993 USEPA and IEPA amended the Superfund Memorandum of Agreement. Addendum No. 1 was added. This amendment establishes a collaboration between USEPA and IEPA, which will guide us in dealing with sites which fit the Brownfields definition.
3. In 1995 and 1996 the TACO Memorandum of Understanding was developed under the RCRA Memorandum of Agreement. The amendment is intended to encourage voluntary environmental cleanup, and establish how IEPA intersects with USEPA and to recognize the IEPA use of the Tiered Approach to Corrective Action Objectives for sites subject to RCRA, LUST or the TSCA.
4. RCRA Memorandum of Agreement between IEPA and USEPA. This agreement establishes policies, responsibilities and procedures for the State of Illinois Hazardous Waste Management Program. This MOA further sets forth the manner in which the State and USEPA will coordinate in the State's administration of the State Program and pending State authorization revision.
5. The RCRIS Memorandum of Understanding is designed to ensure that data integrity is preserved, and to provide sufficient data to adequately administrator and properly oversee the RCRA program.
6. The Underground Injection Control (UIC) Memorandum of Agreement establishes policies, responsibilities and procedures pursuant to the Safe Drinking Water Act for the State of Illinois UIC program.

Clean Water Program

1. Delegation Agreement with the USEPA for management of the construction grant program under the Clean Water Act.
2. Operating Agreement with the USEPA for management of the Clean Water State Revolving Fund under the Clean Water Act.
3. Operating Agreement with the USEPA for management of the Drinking Water State Revolving Fund under the Safe Drinking Water Act.
4. Memorandum of Agreement with the Illinois Department of Agriculture (IDOA) for administration of containment regulations for agrichemical facilities.
5. Memorandum of Agreement with the IDOA for administration of regulations for livestock management facilities and livestock waste handling facilities - pending.
6. Memorandum of Agreement with the Illinois Department of Public Health (IDPH) for regulation of private sewage disposal systems.
7. Delegation Agreement with the USEPA for management of the National Pollutant Discharge Elimination System permit program under the Clean Water Act.
8. Memorandum of Agreement with the IDPH for regulation of non-community public water supplies.
9. Memorandum of Agreement with the IDPH and the Illinois Department of Nuclear Safety (IDNS) regarding laboratory certification authority.
10. Memorandum of Understanding with the IDNS for the agronomic disposal of sludge.
11. Memorandum of Agreement with the IDOA for providing matching funds for Clean Water Act Section 319 grant program.
12. Memorandum of Agreement with the Illinois Department of Natural Resources (IDNR), IDPH, and IDOA for fish contaminant monitoring.
13. Memorandum of Agreement with the City of Chicago for Lake Michigan water quality monitoring.
14. Memorandum of Agreement with the Illinois Department of Transportation (IDOT) regarding permit activities for dredging and deposit of material in Lake Michigan.
15. Cooperation Working Agreement with IDOA regarding the Agricultural Land Preservation Policy.
16. Memorandum of Agreement with the IDNR regarding capital projects that may affect endangered species.
17. Interagency Agreement with the Historic Preservation Agency regarding permit activities affecting historic sites.
18. Memorandum of Agreement with the Corps of Engineers, IDOT, and IDNR for the dredge and fill program under future 401 and 404 of the Clean Water Act.

DISPUTE RESOLUTION PROCESS

IEPA and Region 5 will use an agreed upon dispute resolution process to handle the conflicts that may arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.

A. Informal Dispute Resolution Guiding Principles

IEPA and Region 5 will ensure that program operations:

- Recognize conflict as a normal part of the State/Federal relationship.
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve disputes.
- Approach the discussion as an opportunity to improve the product through joint efforts.
- Aim for resolution at the staff level, while keeping management briefed. Seriously consider all issues raised but address them in a prioritized format to assure that sufficient time is allocated to the most significant issues.
- Promptly disclose underlying assumptions, frames of reference and other driving forces.
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties to assure acceptance by all stakeholders.
- Document discussions to minimize future misunderstandings.
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

B. Formal Conflict Resolution

There are formalized programmatic conflict resolution procedures that need to be invoked if the informal route has failed to resolve all issues. 40 CFR 31.70 outlines the formal grant dispute procedures. There is also an NPDES conflict resolution procedure. The Superfund Program sponsors an Alternate Dispute Resolution Contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program. These are all time consuming and should be reserved for the most contentious of issues. For less contentious matters, we will use the following procedures:

1. Define dispute - any disagreement over an issue that prevents a matter from going forward.
2. Resolution process - a process whereby the parties move from disagreement to agreement over an issue.
3. Principle - all disputes should be resolved at the front line or staff level.
4. Time frame - generally, disputes should be resolved as quickly as possible but within two weeks of their arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next level of each organization.
5. Escalation - when there is no resolution and the two weeks have passed, there should be comparable escalation in each organization, accompanied by a statement of the issue and a one page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each organization.

Multimedia Programs Program Outputs

Toxic Chemical Management Program

1. Annual Toxic Chemical Report.
2. TRI evaluations from facility visits.
3. Total toxics load database.
4. Twenty-nine PCB inspections, related sample results and inspection reports.
5. Preparation of enforcement cases, if applicable.
6. Decision about regulatory proposal.
7. Number of removal incidents where response is necessary.
8. Technical reports that reflect findings/conclusions from the workshops.

Environmental Emergency Management Program

1. Adopted emergency management policy.
2. Number of emergency incident notifications and IEPA on-site responses.
3. Record of incidents with adverse consequences off site
4. Material recovery for emergency incidents.
5. Number of significant release reviews conducted and recommendations sent to IEMA.
6. Number of HAZOPS.
7. Number of enforcement actions taken.

Regulatory Innovation Program

1. Number of regulatory innovation projects that are proposed and are implemented.
2. Participation in CSI Council and sector subcommittee.
3. Number of Clean Break clients that receive some assistance.
4. Number of small business guides that are completed.
5. New Strategy for multimedia compliance management.

Pollution Prevention Program

Regulatory Integration

1. Number of employees receiving pollution prevention (P2) training.
2. Level of coordination between the Office of Pollution Prevention (OPP) and media programs.
3. Number of P2 projects implemented by the media programs.
4. Percent of applicable permits, compliance assurance activities, regulations and inspections which incorporated P2.
5. Amount of pollutants and wastes prevented through media-specific P2 projects.
6. Percentage of activities that have measurement strategies in place.

Voluntary Incentives

1. Number of participants in voluntary initiatives.
2. Amount of pollution prevented by program activities.
3. Amount of money saved by implementing P2 projects.

Technical Assistance

1. Number of companies and organizations assisted.
2. Number of presentations made.
3. Number of graduate interns placed.
4. Number of companies implementing P2 recommendations and projected amount of pollution prevented.
5. Level of customer satisfaction.

Partnerships

1. Number of partnerships formed and entities participating in activities.
2. Number of P2 projects implemented.
3. Amount of pollution prevented.
4. Level of improvement in achieving program goals.

Beyond Compliance

1. Level of P2 commitment in alternative regulatory efforts.
2. Number of P2 projects implemented.
3. Amount of pollution prevented.

Small Business Assistance

Clean Break Program

- Number of Clean Break clients receiving assistance.

Toll-free small business helpline

- Number of phone requests receiving assistance.

Plain language regulatory guides

- Number of small business guides completed.

Small business pollution prevention grant program

- Number and dollar amount of grants awarded.

Environmental Education

1. Annual number of persons who participate in environmental education.
2. A “Welcome to the Illinois EPA” video will be available for use in schools, at conference exhibits, and meetings. This video will provide an overview of the Illinois EPA’s programs and initiatives, with the goal of clarifying the many complex programs.
3. Form partnerships with external groups (other state agencies, USEPA, Region 5, and not-for-profits) to establish environmental education projects.
4. Develop a pilot traveling environmental education show. The show will be composed of a series of interactive exhibits and hands-on activities addressing current environmental programs (pollution prevention, control and remediation), and will be available to schools for sponsored fairs and assemblies. The target audience will be youth in 4th through 8th grade.
5. Three installments of “Envirofun” will be completed.

Program Output Measures for the Air Program

Ozone:

1. Phase 1 SIP submitted by January 1998

Title V/Inspections/Compliance:

Permits:

2. Signed Title V Implementation Agreement (NOTE: THIS IS A JOINT USEPA/IEPA OUTPUT)
3. Public notice of draft permits for 75% of the ERMS sources
4. Issued Title IV permits to 100% of the applicable sources
5. Issued Title V permits to 90% of the Title IV sources
6. Issued construction permits; PSD and New Source Review evaluations as necessary
7. Report of number of Title V permits issued
8. Report of number of Phase II Title IV permits issued (through our Title V permits)

Inspections:

9. Submitted workplan by December 1997
10. Number of inspections conducted

Accountability Measures Through Compliance:

11. Approved Enforcement Response Plan
12. Signed Memorandum of Agreement
13. Compliance investigations and enforcement actions that provide an acceptable balance between resource commitments (state, local, federal) and benefit to the environment, including any SEPs
14. List of new significant violators and status of previous significant violators, including assertions of audit privilege, on a quarterly basis
15. Report of enforcement activity, including number of cases initiated, number of cases concluded, penalty amounts levied, and the outcome of average number of days for significant violators to return to compliance or to enter into enforceable compliance plans or agreements

Pollution Prevention:

16. Summary of ERMS source categories that could use pollution prevention techniques to meet emissions reductions targets
17. Summary of the Bureau's efforts to encourage and enhance pollution prevention opportunities during inspections
18. Identification of regulations promulgated during the fiscal year that provide for pollution prevention as a compliance method

Regulatory Innovation:

19. Signed EMS agreement with 3M

Data Management:

20. Compilation, maintenance, and updating of point source emission data for major sources in the AIRS data system
21. Database for ERMS sources
22. Compilation of list of sources and their emissions within a designated distance of sensitive receptor areas in the State
23. Availability of Illinois MACT data

Public Outreach and Education:

24. Report of the efforts taken by the Partners for Clean Air and of the emissions reductions resulting from those efforts

Base Programs and National/Regional Priorities:

PM10:

25. Supplemental materials to be included in the proposed PM10 SIP, including most recent three years of clean data
26. Redesignation request for McCook PM10 nonattainment area

PM2.5:

27. Plan for the first phase of the PM2.5 monitoring network
28. Some PM2.5 monitors in place and active (NOTE: THE NUMBER OF MONITORS WILL DEPEND UPON ALLOCATION OF MONITORS OR FUNDS FROM USEPA)
29. Appropriate reporting of PM2.5 data to USEPA

Air Monitoring:

30. Appropriate reporting demonstrating that the Bureau has met or exceeded all specific requirements within 40 CFR 58 and the Lake Michigan PAMS plan

Air Toxics:

31. Report of the status of the state's progress in implementing the MACT standards, other § 112 provisions, and the § 129 guidelines and standards
32. Delegation of § 112(g) from USEPA
33. Operational § 112(g) program by June 29, 1998

National/Regional Priorities:

34. Submitted plan for medical waste incinerators
35. Submitted plan for municipal waste landfills

Bureau of Land Program Outputs

(RCRA Subtitle C Program Outputs)

1. An Authorization Revision Application (ARA) will be submitted in accordance with the RCRA Cluster schedule.
2. A rulemaking petition for the addition of fluorescent and HID lamps will be developed and presented to the Board.
3. Implementation of the UWR.
4. Number of inspections at inspectable TSDFs.
5. Number of enforcement actions taken and penalties collected annually.
6. Number of compliance assistance-related visits and information entered into RCRIS.
7. Compliance rates by industry/community-based/geographic initiative sector.
8. Number of Clean Break activities conducted.
9. Number of compliance agreements established.
10. Number of criminal investigations initiated and closed.
11. Number of referrals to Illinois EPA's Criminal Enforcement Decision Group (CEDG) and to prosecutorial authorities.
12. Number of draft and final permits and permit modifications issued to facilities in the permitting universe (including commercial and high-priority).
13. Number of closure plans, closure plan modification requests, and closure certifications reviewed and approved for facilities in the closure and high-priority closure universes.
14. Number (total and for the high priority facilities) of RFA completions, stabilization actions required in a permit, RFI Phase I and Phase II report or workplan approvals, and corrective measures report approvals. **NOTE:** Among these corrective measures reports would be a final remedy construction completion report.
15. Update and evaluate the current data base to include all Part B regulated units that include groundwater monitoring programs.

(UIC Program Outputs)

1. Number of inspections and Mechanical Integrity Tests (MITs) conducted at Class I facilities.
2. Number of permit modifications and renewals at Class I facilities.
3. Number of potentially significant Class V wells investigated.
4. Maintenance and prioritization of Class V inventory.
5. Number of Class IV/V wells (by well type) brought under specific control through permits and closures.

(Used Tire Program Outputs)

1. Number and category of facilities inspected.
2. Number of tire cleanups conducted and volume of tires recycled.

(Remediation Programs)

Incentives for Private Parties to Undertake Remedial Actions

- *Program Output Measure 1* - Number of sites entering the voluntary SRP
- *Program Output Measure 2* - Number of sites in the voluntary SRP which have received a NFR letter and acres remediated.

Expansion of “Brownfields” Efforts

- *Program Output Measure 3* - Illinois EPA will implement of 35 Illinois Adm. Code 740 (“Site Remediation Program”) and 35 Illinois Adm. Code 742 (“Tiered Approach to Corrective Action Objectives”) which became effective July 1, 1997.
- *Program Output Measure 4* - Illinois EPA is planning to hold an Illinois All Cities Brownfields Workshop. This workshop is a follow up to the December 1996 Illinois All Cities Brownfields Conference. The one-day workshop offer technical, procedural, and regulatory information relative to Brownfields through a series of presentations, panels, and programs.
- *Program Output Measure 5* - Illinois EPA will continue “Brownfields Assessments” on selected urban properties. These assessments will be used to determine if

environmental concerns may be acting as an impediment to redevelopment. The Illinois EPA will be conducting these activities for the USEPA as part of a cooperative agreement grant with USEPA. For this year, seven (7) Brownfield redevelopment assessments are planned, with the possibility of additional sites being added.

- *Program Output Measure 6* - Illinois EPA will develop and adopt Brownfield Municipal Grant Program regulations. These regulations would set forth procedures and criteria for administering the grant program.
- *Program Output Measure 7* - Illinois EPA will develop and propose regulations prescribing procedures and standards for its administration of environmental remediation tax credit review.
- *Program Output Measure 8* - Illinois EPA will continue to provide technical support to help USEPA evaluate the nature and extent of contamination and risks to public health and the environment from a cluster of hazardous waste sites located together near Lake Calumet on the southeast side of Chicago. The Illinois EPA also will coordinate state remedial and brownfields cleanup projects in the immediate area (e.g., Paxton, IL and Interlake properties) to ensure that cleanup and mitigation activities are consistent with the environmental restoration goals developed by government agencies and local stakeholder groups to protect public health and the environment, promote the development of open space and natural habitat and improve the infrastructure and drainage in the area.

Cleanup Funding at State Superfund Sites

- *Program Output Measure 9* - Number of sites receiving an action under the State Response Action Program and acres remediated.
- *Program Output Measure 10* - Illinois EPA will develop a rulemaking proposal for causation-based, proportional liability.
- *Program Output Measure 11* - Illinois EPA will develop a electronic database of backlog sites. This database will be used to prepare reports concerning the status of all state response sites, including information on the financial, remedial, and cost recovery status of each sites.

Continued Growth in the State's Role on NPL site cleanups

- *Program Output Measure 12* - Illinois EPA will report on the number of NPL sites at which construction has been completed
- *Program Output Measure 13* - Illinois EPA will report on the number of NPL sites at which removal or remedial action have been completed.

- *Program Output Measure 14* - Illinois EPA will report on the number of NPL sites at which a Record of Decision includes a remedy, has been signed.
- *Program Output Measure 15* - Illinois EPA will work with USEPA to develop environmental indicators which realistically demonstrate the risk reduction achieved at Superfund NPL sites, and populations protected.
- *Program Output Measure 16* - Illinois EPA plans to amend the Reduced Oversight Agreement with USEPA Region 5 to include Remedial Design and Remedial Action documents. The current agreement only covers RI/FS.

Efficient and Effective Management of the CERCLA Program

- *Program Output Measure 17* - Illinois EPA will participate in the development or review of new USEPA policy/guidance, and regulations relative to federal Superfund.
- *Program Output Measure 18* - Illinois EPA will develop a multiple management concurrence procedure for transfer of funds between different accounts within the Block Grant. This procedure will require the designation of the projects where funds are being increased or decreased and their new budgets. The Block Grant's award conditions also require Illinois EPA to report these budget shifts in the mid-year and year-end reports to USEPA Region 5.
- *Program Output Measure 19* - Illinois EPA plans multi-disciplinary training for staff in all program guidance areas and protection of staff from site health hazards.
- *Program Output Measure 20* - Illinois EPA will develop, revise, maintain necessary fiscal systems/procedures, reports and records to ensure accurate and timely reporting of site expenditures.
- *Program Output Measure 21* - Illinois EPA will review contractor invoices for compliance with contract rates and administer the payment of bills for services rendered with appropriate Project Manager interaction/input.

Conduct legal, statutory, and regulatory activities necessary to implement effective enforcement activity at NPL sites

- *Program Output Measure 22* - Illinois EPA will provide general legal advice and consultation on matters pertaining to state implementation of CERCLA.
- *Program Output Measure 23* - Illinois EPA will draft, revise, and in general, shepherd to fruition, state guidance, regulation, or statutory authority to ensure effective implementation of the state CERCLA enforcement program.

- *Program Output Measure 24* - Illinois EPA will provide coordination with other regulatory programs (i.e., Clean Water, Clean Air Program, RCRA) with respect to ARARS.

Effective Administration of a Cost Recovery Program

- *Program Output Measure 25* - Illinois EPA will maintain EPA required cost documentation to support USEPA cost recovery efforts.
- *Program Output Measure 26* - Illinois EPA will coordinate and plan cost recovery efforts with USEPA.

Manage and Maintain Community Relations Program Activities

- *Program Output Measure 27* - Illinois EPA will develop educational/informational items to inform the general public, legislators, environmental groups, and the local populace of cleanup efforts and successes.
- *Program Output Measure 28* - Illinois EPA will assist in media relations (including news releases, television appearances, radio interviews) on USEPA and Illinois EPA removal and remedial activities.

LUST Performance Strategies

Maintenance of LUST Database

- *Program Output Measure 29* - Illinois EPA will monitor and record in a database the number of LUST releases reported.

Review and Evaluation of LUST Plans and Reports

- *Program Output Measure 30* - Illinois EPA will report the number of LUST cleanups initiated, number of LUST cleanups completed, and number of acres remediated. Illinois EPA will also provide a brief narrative describing the impact of the Tiered Approach to Corrective Action Objectives (“TACO”) and the impact of the cleanups initiated and completed.

Respond to LUST Emergencies

- *Program Output Measure 31* - Illinois EPA will report the number of LUST emergency responses.

Illinois UST Fund

- *Program Output Measure 32* - Illinois EPA will report the progress of efforts to receive approval of the Illinois UST Fund to meet the federal financial assurance requirements.

Public Outreach on the LUST Program

- *Program Output Measure 33* - Illinois EPA will report our outreach efforts and provide copies of any publications.

LUST Enforcement Actions

- *Program Output Measure 34* - Illinois EPA will report the number of formal and informal enforcement actions taken. In addition, Illinois EPA will describe improvements made to the enforcement process.

BUREAU OF WATER PROGRAM OUTPUTS

Performance Strategies

Watershed Management

1. The Watershed Implementation Plan will be completed in draft for review by the Watershed Management Committee of the Natural Resources Coordinating Council.
2. Description of major achievements in developing and implementing comprehensive watershed management programs including how water quality standards are used in managing water quality improvements and how interrelated programs will be coordinated using a watershed approach. (Source: End of year report)
3. Percent of state waters monitored or assessed (includes waterway, inland lake, and Lake Michigan). (Source: Annual supplement to 305(b) report)
4. Description of changes to statewide monitoring programs to conform to Section 106 and final Section 305(b) guidelines. (Source: Surface Water Quality Monitoring Strategy submitted in FY 97)
5. Number of water quality surveys. (Source: End of year report)
6. Number of new watershed planning efforts initiated in priority watersheds. (Source: End of year report)
7. Designate up to 85 dedicated Nature Preserves as Class III Special Resource Groundwater to the Illinois Pollution Control Board.
8. Percent of waters that contain fish that should not be eaten or eaten in limited quantities. (Source: Annual Supplement to 305(b) report)

Point Source Control

9. Summary information on reduction in pollutant loading from point sources in priority targeted watershed. (Source: End of year report)
10. Number of facility inspections conducted. (Source: PCS)
11. Number and percentage of pretreatment facilities audited. (Source: PCS)
12. Percent of POTW's that are beneficially reusing all or part of their biosolids. (Source: End of year report)
13. List of actions taken to reduce NPDES compliance monitoring. (Source: End of year report)
14. Status of all delegated NPDES programs with regard to adoption of applicable regulations and legal requirements. (Source: End of year report)

Nonpoint Source

15. Description of the review and revision of Section 319 programs. (Source: Report submitted in FY 97)

Public Involvement

16. Hold three workshops on CTIC's "Know Your Watershed" will be hosted in Illinois, with U.S. EPA assistance.

Drinking Water Program

17. Status of significant activities taken to meet new SDWA requirements including:
 - New system capacity demonstration
 - Listing of systems with a history of noncompliance and the reasons for noncompliance
 - Adoption of administrative penalty authority
 - Implementation of Drinking Water SRF program
 - Section 1414 annual compliance report
 - Percent of DW-SRF set-aside funds earmarked to perform source water delineations and assessments.(Source: End of year report)

Source Water Protection

18. Preparation and submission of Illinois' Source Water Protection Program application to U.S. EPA Region 5.
19. Continued work with existing and placement of up to five pollution prevention interns.
20. Five nonpoint source pollution prevention projects continued.
21. Work with the RSVP volunteers under the Mentor Program to increase source water protection activities.
22. Work to include source water protection provisions into the WIP Guidance and participate in watershed efforts (including Lake Michigan LaMP, Upper Mississippi, etc.) to protect surface water supplies of drinking water.
23. Propose regulated recharge areas and maximum setback zone regulations to the Illinois Pollution Control Board.
24. Expand I-Glass to include watershed and other BOW data and information.

Lake Management

25. Initiate and administer from 2-4 Phase I diagnostic-feasibility studies and 2-3 Phase II implementation projects in the Illinois Clean Lakes Program.
26. Conduct Ambient Lake Monitoring program monitoring activities at 50 inland lakes.
27. Conduct basic Volunteer Lake Monitoring Program (VLMP) Secchi transparency and Zebra Mussel monitoring at 180 lakes. Conduct expanded VLMP monitoring (i.e., Chlorophyll a, Water Quality) at 100 lakes.
28. Continue expanded technical assistance capabilities to lake associations, volunteers, lake owners/managers, and the public.
29. Provide funding for and administer approximately 100 Lake Education Assistance Program Grants.
30. Plan for and conduct four lake management workshops in different parts of the state.
31. Develop and distribute 5-10 "Lake Notes" fact sheets.

Sediment Management

32. Sediment quality data will be entered into the STORET water quality data management system.

Small System Support

33. Number of operational visits conducted. (Source: End of year report)
34. Estimate of water supply personnel informed/trained. (Source: End of year report)

State Revolving Fund

35. Number of communities receiving loans and the amount. (Source: End of year report)
36. Comparison of Quarterly Outlays to OMB planning targets. (Source: GICS)
37. Report on federal indicators to measure the pace of the CW-SRF and DW-SRF programs. (Source: End of year report)
38. Continue to maintain SRF information system. (Source: End of year report)

Technical and Public Education

39. Technical assistance workshops presented with Illinois Rural Water Association, Illinois Section AWWA, IDPH, IPWSOA and local operator groups.

NPDES Program Delegation

40. Application packages for the pretreatment program and the sludge program and completion of a formal application addressing federal comments for the pretreatment program early in FY98.

NPDES Permit Backlog

41. Substantial elimination of the backlog of expired NPDES permits for facilities that have been identified as significant contributors to water quality problems in priority watersheds by the end of the fiscal year.
42. Number and percentage of facilities, including wet weather discharges: a) which are covered by a current NPDES permit, b) with expired permits, c) which have applied for a permit but have not yet been issued a permit, and d) which are under administrative or judicial appeal. (Source: PCS)
43. Number of a)non-storm water general permits issued and b)number of facilities covered. (Source: PCS)

Compliance Assistance/Enforcement

44. Average number of days to reach agreement on a compliance plan for resolution of violations. (Source: PCS)
45. Success ratio for participants that receive compliance assistance. (Source: PCS)
46. Description of environmental benefits that are achieved due to resolution of enforcement cases that involve P₂ and SEPs. (Source: End of year report)
47. A pilot assessment annual compliance excellence achievers as demonstrated by three or more years of sustained compliance. (Source: PCS)
48. Percent of discharge monitoring data received that is required to be reported by the NPDES permit program. (Source: PCS)
49. Yearly significant non-compliance days per NPDES major discharger.
50. Number of enforcement actions including number of noncompliance advisories issued. (Source: PCS)
51. Number of cases involving audit privilege. (Source: End of year report)
52. Enhancement of Enforcement Management System reflecting provisions of recent legislative changes and program priorities. (Source: End of year report)
53. Number of demand letters issued. (Source: End of year report)
54. Number of wastewater and water supply operators certified. (Source: End of year report).
55. Percent of sample results received that are required under the SDWA. (Source: SDWIS)
56. Report to address Office of Enforcement and Compliance Assistance Accountability Outcome Measures #2 and #3:
 - Environmental and public health benefits achieved through inspections and enforcement activities.
 - Results or impact of using: audit privilege or immunity law; audit policies; small business compliance assistance policies; and compliance assistance initiatives developed for specific industrial sectors.(Source: End of year report)

Pollution Prevention Initiatives

57. Pollution prevention and spill prevention recommendations and materials for small oil producers. (Source: End of year report)

Great Lakes Water Quality Initiative Adoption

58. Finalize water quality standards applicable to Lake Michigan and its basin by the first quarter of FFY98.

Development of Biocriteria Water Quality Standards

59. Criteria for reference sites and reference conditions.

Total Maximum Daily Load (TMDL)

60. Draft 303(d) list by December 31, 1997. Finalize 303(d) list by April 1, 1998. Once the list is approved by USEPA, the Agency will provide a schedule for completion of TMDL's for high priority waters included on the list.

Livestock Management

61. Protocol developed for compliance assistance surveys at livestock facilities and targeted facility visits begun. (Source: End of year report)

Review of National Data/Reporting Systems

62. Report proposing changes in reporting and format for the next self-assessment. (Source: Report by the end of the second quarter of the federal fiscal year)